

RECEIVED
FEB 08 2019
County Administration

Michael J. Mastropaolo



2/6/19

Mike Finckum -
FYI

I have today mailed
my comments (your copy
attached) re the Vicksburg
request to each of the
Board members

I am leaving for a
2 wk trip to Ecuador the
morning of the 12th so
I will not be present for
the hearing.

Thank you -

Michael Mastropaolo

THE GREATEST CASUALTY IS BEING FORGOTTEN.

01-166-000878073

Michael Mastropaolo
6300 waterway Drive
Falls Church, VA 22044

Recd 2.7.19
after noon

February 6, 2019

Michael A Finchum, Director
Caroline County Planning and Community Development
233 West Broadus Ave.
Bowling Green, VA 22427

Dear Mr Finchum,

I have received the January 31, 2019 notice of the public hearing scheduled for February 12, 2019 when the Board will consider "SPEX-06-2018-Vickstrom, Doug & Sharon, Owner/Applicant", a request for a permit for a special exception to Caroline County zoning restrictions.

I am the owner of property adjacent to where the Vickstroms want to hold special event celebrations and I oppose issuance of the permit and ask that the Board deny the request.

I purchased my property nearly 30 years ago and it includes the old Anderson Mill site as well as a section of the north half of the North Anna River and riverfront land between the river and the Vickstrom property. My land and the river are in very close proximity to where the proposed celebratory gatherings would take place.

Accessing the river from the Vickstrom property requires entry onto and across my land. The Vickstrom July 25, 2018 letter to the Caroline County Planning Commission states they have "freely provided access" to the river and strongly implies they plan to provide the same to attendees of special event celebrations.

I am unable to attend the public hearing on the 12th and therefore have enclosed attachments that explain in detail the reasons and rationale for my objections.

Thank you for reviewing the attachments and for considering my request.



Michael J. Mastropaolo

H: 703-256-1328

C: 540-903-4449

Email: mmpaolo@msn.com

Attachment #1: Letter of October 16, 2018 to Michael A Finchum registering and detailing my opposition to the request.

Attachment #2: Original deed and 1881 survey of Anderson Mill and surrounding land.

Attachment #3: Plat of survey of Anderson Mill and surrounding land made by Robert Farmer October 19, 1993.

Attachment #4: Survey and map by Raleigh Phelps (February 21, 1983) of land now owned by Doug Vickstrom.

Cc: Members, Caroline County Board of Supervisors (US Mail)

Attachment #1

Michael J. Mastropaolo
6300 Waterway Drive
Falls Church, Virginia 22044

October 16, 2018

Michael A. Finchum, Director
Caroline County Department of Planning and Community Development
233 West Broadus Avenue
Bowling Green, Virginia 22427

Re: SPEX-06-2018 – Vickstrom, Doug & Sharon,
Owner/Applicant

Dear Mr. Finchum,

Yesterday I received your notice of the October 25th public hearing with respect to the above referenced special exception zoning request. I am writing to provide comment, concern and opposition to this request. I want to thank Ms. Lisa Zech of your staff for her explanation by phone and for emailing me the contents of the request.

Prior to my relocation several years ago I resided and worked in Caroline County for more than 30 years and was active in and enjoyed a variety of county civic affairs. I had a 39-year career in the juvenile court system and was responsible for directing juvenile court services in Caroline, Fredericksburg and nine surrounding jurisdictions. My public safety related experience with young people and their families who encountered a variety of unfortunate circumstances that brought them before the juvenile court is comprehensive. I have no doubt the Vickstroms have the best of intentions with their plans but I fear they lack awareness of the dangers and liabilities to which they and their neighbors would be exposed.

I own 16 acres of forested land, south of Chilesburg, bounded on the west side by the North Anna River. On the southern end of the property are the ruins of the "Anderson Mill", a pre-Civil War mill purchased after that war by the Driver family and thereafter known as "Drivers Mill". Deeds and survey information (copies attached) are located in the records rooms of both the Hanover and Caroline County Circuit Courts. Doug and Sharon Vickstrom own adjacent property bordering my land. The old mill site, old road (to its centerline), approach to the old river bridge (to its centerline) and mill ruins are located on my property and I note the riverside property line extends to the center of the river.

My understanding from reading the Vickstrom request is that they want authorization to create a "venue" on their property that they would rent out to outside groups of people, that could number in the hundreds, for social events, celebrations and parties. They would construct a "pavilion" and a 100-car parking area for members of the group renting the facility. And they would require those groups to provide their own portable toilet/bathroom facilities as none exist on the site. I don't know if there is any assurance that these facilities would always be properly maintained, environmentally safe and sufficient for the group's needs.

These activities appear to be planned to take place in close proximity to the North Anna River and to (or on) riverfront property I own which runs between the Vickstrom home and the river and between the proposed venue/pavilion and the river.

Mr. & Mrs. Vickstrom's letter of 7/25/18, to your department expresses their intent is to allow/encourage groups of people renting the pavilion area to access and use the river and land behind their house and pavilion for recreational activities. Doing so would require their use of the river and riverfront land owned by me.

In years past Doug Vickstrom has asked for and I have granted he and his immediate family permission to exercise limited personal use/access to the subject property, to include clearing grass and shrubbery. What is proposed goes far beyond what I had intended as a neighborly accommodation, an accommodation I would still willingly continue to grant.

~~In addition to taking a stand with respect to exercising my rights as property owner there are other compelling reasons I oppose approval of the Vickstrom request.~~

The part of the county in question, south of Chilesburg, is a very rural, pastoral and quiet part of the county and is not consistent with large parties of as many as more than 100 people from out of the area, where alcohol would likely be served on occasion and raucous behavior also possible on occasion.

The mill area of the river is dangerous, especially for partygoers' young children bent on exploration. In addition to deep, fast running areas with poor footing there are parts of old machinery in the river with parts protruding from the river. And the mill dam and spillway, still largely intact, are especially hazardous. The up-river side of the dam has places where water is sucked under the dam rather than going over. A person/child caught in one of these sections, or who the current takes to the spillway, especially when the water level is high, may not be able to get to safety without injury.

Liability. I am the owner of the mill site, at least half of the mill dam, the south-east half of the river and the riverfront land adjacent to where the venue/pavilion would be placed. With large groups of people, including children, mingling in the area, some no doubt using alcohol, accidents are inevitable. And as the dam, river and surrounding "attractions" are places where accidents are likely, I am at risk of facing liability issues that I shouldn't be put in the position of facing.

For the above reasons I strongly object to and oppose the Vickstroms' special exception request and respectfully ask the Caroline County Planning Commission to deny it. Thank you.

If there are questions I can be reached as follows:

Home: 703-256-1328

Cell: 540-903-4449

Email: mmpaolo@msn.com

Respectfully,



Michael J. Mastropaolo

Encl: Deed and plat of survey – November 25, 1881

Plat of survey – October 19, 1993

Updated plat of survey – March 2, 2018

of the benefit of said Homestead Law, and therefore J. W. Taylor as claimant in addition to said property in said deed enumerated, Twenty five barrels of Corn, said by me in the year 1881 to the value of only five Dollars - which I have set apart as compensation for my, labor or sale of or debt. Given under my hand & seal this 25th day of November 1881.

J. W. Taylor (Seal)

In County Court Clerk's Office November 25th 1881.

The foregoing deed was this day presented to me in my office and acknowledged before me by J. W. Taylor the party thereto, It is admitted to record, and is duly recorded.

John Kott Herosin Clk

Recorded to Court
to said P. O.
Johnson Trust

State Tax P. O.

Exd.
original sent to
S. G. Reed
to Boardman P. O.
Aug. 10th 1885

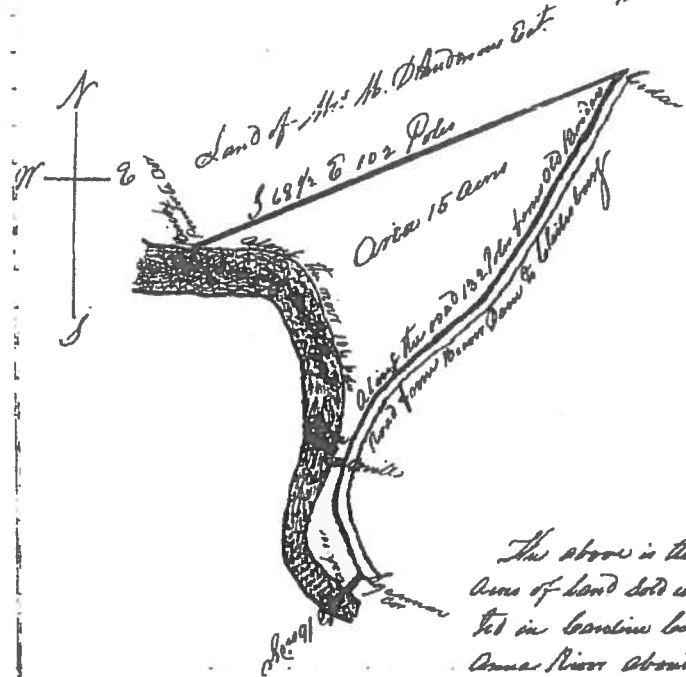
This Deed made this 10th day of November 1881, between Richard H. Boardman
Benjamin F. Johnson & George A. Jones and Hill contra Special Commissioners of
the Circuit Court of Hanson in the case of Anderson against Benjamin F. Johnson
of the first part and Andrew J. Johnson Trusta party of the second part, Witnesseth
that whereas a decree was obtained by the Circuit Court of Hanson in said case on
the 25th day of October 1881 directing the execution and delivery of this deed,
Now therefore the said parties of the first part in consideration of the premises
and by virtue of and in obedience to the said decree do grant and
convey with Special warranty unto the said party of the second part and
in divided tenancy of Anderson Mills and of the 15 acres of land in certain
County on which said Mills stands, bounded on the North by the land be-
longing to the Estate of Emitt Anderson and, on the East by the County Road
leading from Brown Dam Depot to Whiteburg, on the South by the said road
and the North Anna River and on the West by the North Anna River, the
boundaries of which 15 acres of land were accurately shown by the plat
of John C. Smith to which special reference is hereby made, which is to be re-
corded with this deed, to be held by him the said Andrew J. Johnson in Trust
for the use of the following persons viz: for the joint support and maintenance
of Benjamin F. Johnson & Barbara C. Johnson his wife and the children
of the said Benjamin F. Johnson, but it is hereby and herein further agreed and
expressly understood by the said Trusta that the said Benjamin F. Johnson
shall retain possession and have the control & management of the property
hereby & herein conveyed & intended to be conveyed during his life and at his
death said possession control & management shall pass to & remain with
his wife Barbara C. Johnson should she survive him so long as she shall
remain unmarried, It is further agreed that if the said Benjamin F.
Johnson & Barbara C. his wife shall at any time during their joint
lives or during the life of the survivor (the said Barbara C. remaining
unmarried) claim to sell the real Estate herein conveyed the same may be
affected by and conveyed & acknowledged according to the provisions of the law
of the State of Virginia, in which and the said Trusta or his success in case of
his death or removal shall unite, and the proceeds arising from such sales shall
be divided in said property in the said Benjamin F. Johnson may designate

or if he be dead then in such as the said Barbara O. Johnson owning
 his widow may designate, to be held by the said trustee upon the same trusts
 and conditions as above set forth, and it is further agreed that the said Benja-
 min F. Johnson & the said Barbara O. Johnson his wife after the death of the
 said Benjamin F. Johnson, so long as she shall remain his widow shall
 exercise the right & privilege of making advancements to any child or
 children of the said Benjamin F. Johnson out of the property hereby con-
 veyed provided that the advancement to any child or child shall not be
 greater than his or her ratable share of the same But B. F. Johnson
 his daughter by his first marriage is not to have any part of the real
 estate of Barbara O. Johnson, but she is to share equally with the
 other children in the other property. Witness the following signatures
 & seals

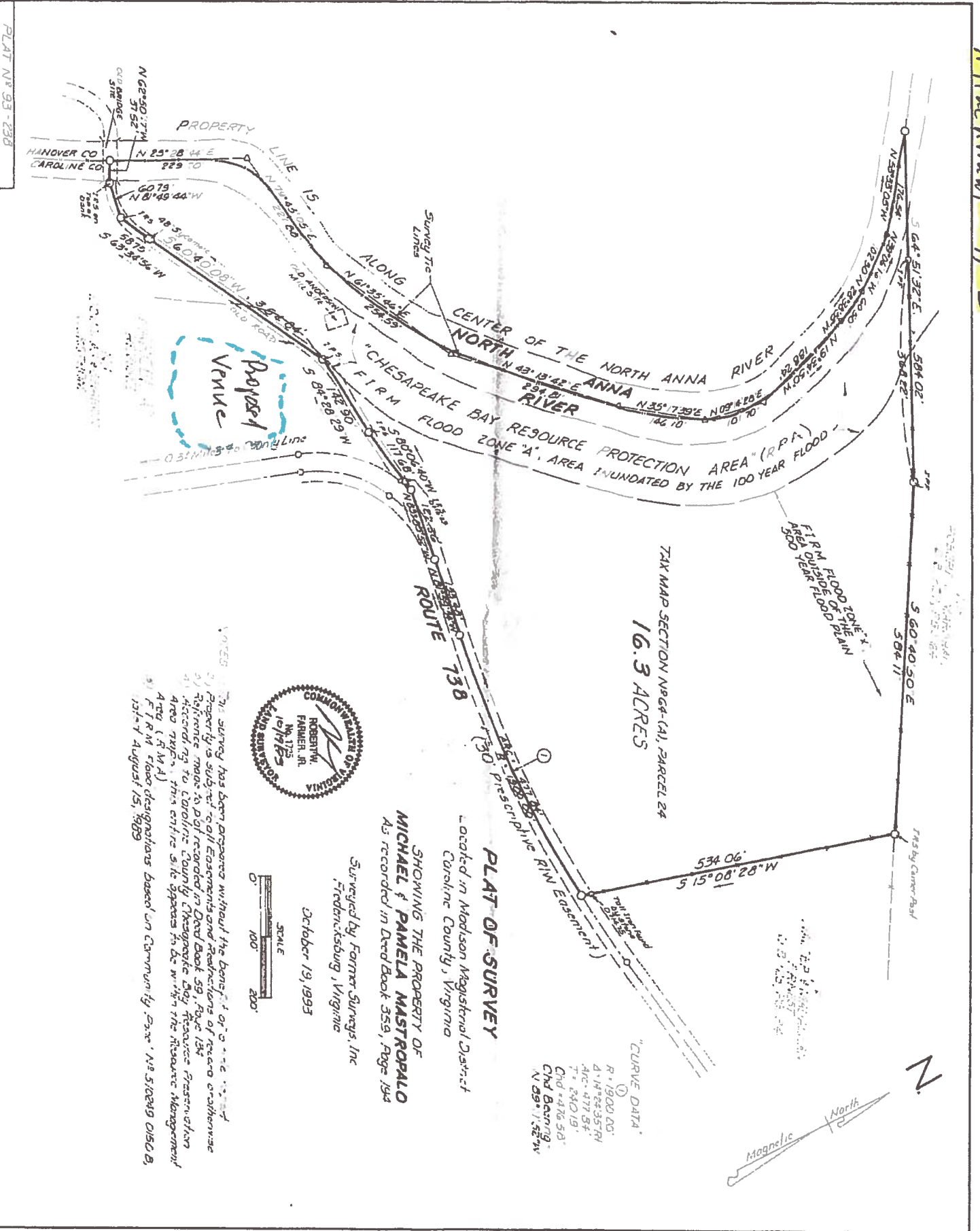
N. H. Cordwell Spec Comm. (Seal)
 Edmund Waddill Jr. Sp. Com. (Seal)
 Geo. A. Jones Com. (Seal)
 Hill Com. Special Comm. (Seal)

Com.
 Sp. Com.
 Com.
 Ex

City of Richmond Va
 J. Myrick Lake, a Notary Public for the City of Richmond
 in the State of Virginia do Certify that N. H. Cordwell, Edmund
 Waddill Jr. Geo. A. Jones and Hill Com. Special Commissioners
 whose names are signed to the writing above, bearing date on the
 10th day of November 1881, have acknowledged the same before me
 in my City aforesaid, the said Cordwell on the day and the others on
 November 14th 1881. Given under my hand this 17th day of
 November 1881.
 J. Myrick Lake N.P.



The above is the plat of a lot of fifteen
 acres of land sold with Anderson White River
 in Caroline County Va. on the North
 Anna River about three miles North of
 Brown Dam Depote L. & O. R. R. and
 bounded as set out above. Feb. 5th 1881
 J. O. Smith.



PLAT No 93-238

NOTES:
 1) This survey has been prepared without the benefit of a title search.
 2) Property is subject to all Easements and restrictions of record otherwise stated.
 3) Reference made is not recorded in Deed Book 59, Page 154.
 4) According to Caroline County Chesapeake Bay Resource Program, when Area trips, this entire site appears to be within the Resource Management Area (RMA).
 5) FIRM Flood designations based on Community, Ex. No. 510210 0150 B, 12/17 August 15, 1989.

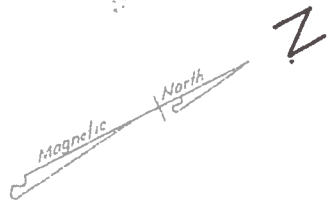


October 19, 1993

Surveyed by: Former Surveyors, Inc.
 Fredericksburg, Virginia

PLAT OF SURVEY
 Located in Madison Magisterial District
 Caroline County, Virginia
 SHOWING THE PROPERTY OF
 MICHAEL & PAMELA MASTROPALO
 As recorded in Deed Book 359, Page 134

"CURVE DATA"
 ①
 R = 1900.00'
 Δ = 14° 22' 35.74"
 Arc = 477.54'
 T = 840.19'
 Chd = 476.58'
 Chd Bearing = N 89° 11' 52.74"

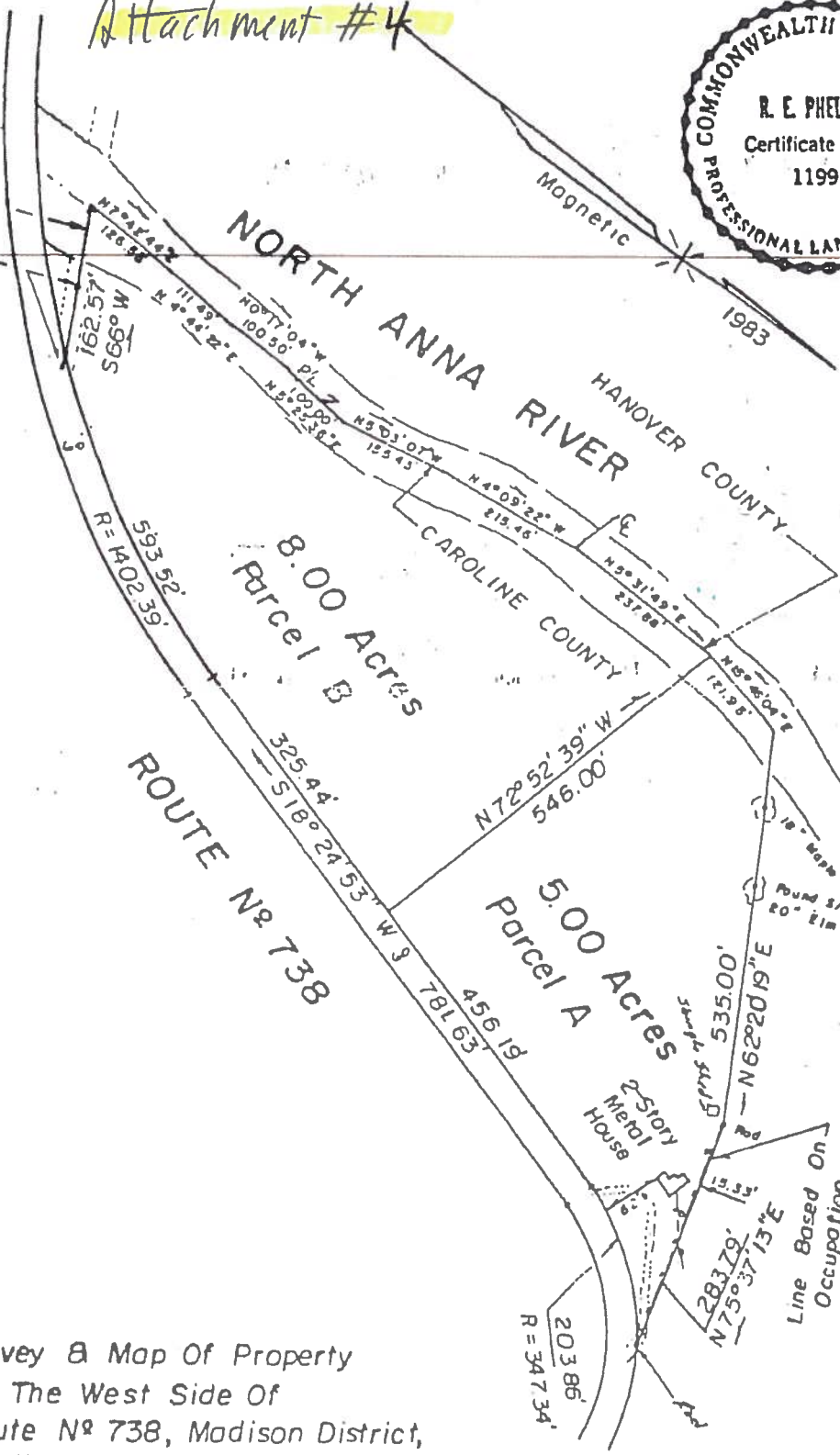


House Not Located Within A HUD Defined Flood Hazard Area.

Attachment #4



E of Old Road
Road On Line



Robert H Ficcola

Survey & Map Of Property
On The West Side Of
Route No 738, Madison District,
Caroline County, Va.

SCALE: 1" = 200'

DATE: February 21, 1983

RALEIGH E. PHELPS
CERTIFIED LAND SURVEYOR
1199
RICHMOND, VIRGINIA

BY: HCW

FILE: Caroline
BOOK NO 73-119