




ZONING EXAMPLE INPUT LOCATION or ISSUE: [BEAR CHASE BREWERY](#)

The following provides a chronology of key events related to this issue or location, with the purpose of identifying key problems (e.g., uses, permits, policies, procedures, enforcement, etc.) to improve.

DATE (Mth/Yr if known)	KEY EVENT/ACTIVITY/ISSUE (e.g., application, permit, construction, violation notice, etc.)	BRIEF DESCRIPTION OF PROBLEMS/IMPACTS
7/6/2016	Madison Hospitality (MH) (S6271151) formed. The registered agent is listed as Brent J. Digeronimo. Both addresses are 2588 Ocean Shore Avenue, Virginia Beach, VA.	 <p style="text-align: center;">BlueRidge Mountain Road</p>
Unknown	Benjamin Farmery, represents Madison Hospitality. benj@madisonhospitality.com ; 703-395-91219 (M); 703-723-7523 (P)	
Unknown	Parcel 6416697100, Book 793, Page 528: State Use Class: Farm 20-99.99AC; Neighborhood R891301; Ag District N/A	
2/23/2017	Site Plan Pre-Submission (PSUB) meeting request from Benjamin Farmery, Madison Hospitality Services, LLC. 19117 Caddy Court, Leesburg, VA 20176 **	
3/6/2017	MH presents a request to LC that the residential property be rezoned so that they could convert it to either a B&B or a Country Inn for travelers, Military veteran retreats; requesting that they develop a 10,000 sq foot facility, as well as to investigate use of the land for agricultural purposes, such as hops. **	<p>Problem: This property and its plans are within 200 feet of a private residence. It lies very close to the already difficult intersection of 2-lane Route 601 with Route 7. As proposed, extensive traffic back-up can be expected on Route 601.</p> <p>Solution: Appropriate regulations</p> <ul style="list-style-type: none"> • to mitigate the impact of this level of commercial operation on water quality (all residents are dependent on well water), septic management and impact on ground water quality, noise, light, traffic and nearby property values. • Consultation with appropriate agencies to determine whether the crops proposed are appropriate for the soil and climate conditions; • how the increase in potential traffic will be handled (VDOT); and • dialogue the Loudoun Economic Development Council as to parameters to consider when advising prospective businesses in the rural sector
3/22/2017	Pre-submission Application Conference held; attendees: Neelam Henderson, B&D Engineering; Benj Farmery, Madison Hospitality; Roger Healey, McEnerney Associates; Bill Houck, B&D E&S; Jamie Fultz, B&D E&S Mngr; Mark Depo, P&Z Admin; Ryan Reed B&D NRT **	<p>Problem: The synopsis of the meeting states: “The meeting was exploratory in nature and subsequent discussion/notes are not binding for either the County or the attendees.” The synopsis stated nothing re: the current Comp Plan was discussed; that VDOT approval was required, and lists various zoning issues discussed.</p> <ul style="list-style-type: none"> • As facts later substantiated, this led the applicant to believe certain County regulations and requirements were simply <i>suggestions</i>.

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		Solution: Preliminary meetings must document that zoning regulations specified for a particular project are binding, and are the responsibility of the applicant to know, understand, and follow.
4/6/2017	Response from Mark Depo, to PSUB request 2017-0007; response sent to Neelam Henderson, citing MDOD, B&B, and Country Inn zoning regulations. **	NOTE: reference is to MCPI 6481667100 = 32.49 acres
6/15/2017	Bluemont Estates, LLC formed in Virginia (S6877254). Prestige Worldwide Services, LLC is listed as its registered agent. Mark Tatum is listed as PWS, LLC registered agent. The address for both PWS and Mark Tatum is listed as 43510 Squirrel Ridge Place, Leesburg, VA	
7/29/2017	Benj Farmery posted notice: ownership of Bluemont Manor and Country Inn property is Mark Tatum, Tony Bowers, Ted Holloway Tidmore and Justin Rufo.	
7/29/2017	Benj Farmery posted notice: "Coming Soon"...Bluemont Manor and Country Inn, advertising ability to sleep 25-30 people, outdoor pavilion, fire pits, outdoor kitchen, fireplace and entertainment area. "Perfect for corporate retreats, weddings, family reunions,..." "Be on the lookout for a Fall Concert series..." **	<p>Problem: This property and its plans are within 200 feet of a private residence.</p> <p>Solution: The Loudoun Economic Development should have knowledge of the surrounding properties in order to fully advise prospective applicant of the impact a commercial operation in a particular neighborhood will impose on water quality (especially where residents are dependent on well water), septic management and impact on ground water quality, noise, light, traffic and property value impact. Consultation with Loudoun Planning & Zoning department on all points should be included.</p> <p>Problem: Local residents/neighbors have no idea of the proposed commercialization of this land, and thus no opportunity to raise questions or concerns.</p> <p>Solution: PUBLIC NOTICE</p> <ul style="list-style-type: none"> As soon as LC receives a request to change the nature of an existing property, public notice should be posted in a prominent place on the property, easily visible to passers-by, with contact numbers in order to enable questions and concerns. LC be required to notify each owner of properties within a 10-mile radius.
7/31/2017	MCPI # 64166971000 purchased by Bluemont Estates, LLC.	NOTE: reference is to MCPI 6481667100 = 31.31 acres
Unknown	At some point plans for "Bluemont manor and Country Inn" evolved into plans for a brewery, tap room and music event center; possibly a B&B vs Airbnb	<p>Problem: CHANGE OF USE / MULTIPLE USES ON SITE.</p> <ul style="list-style-type: none"> With the change in plans for this property, it now has disparate regulations for a B&B facility, adjacent to a brewery and tasting tap room; different regulations for # of guests, # of events, hours of events....some guided by the County, some by the state. <p>Solution: Establish clear guidelines for noise, who is to officially monitor and where there is overlap between the 2 facilities, who predominates?</p>
change	Bear Chase Brewing Company, LLC (BCBC) (S6999702) formed. Mark Tatum is listed as its registered agent.	

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8/25/2017	BCBC made ABC application for a Limited Brewery, which means 500 or fewer barrels/year.**	<p>Problem: Local residents/neighbors have no idea of the proposed commercialization of this land, and thus no opportunity to raise questions or concerns.</p> <p>Solution: VaABC PROPER NOTICE: POSTING AND PUBLICATION</p> <ul style="list-style-type: none"> As soon as ownership makes application for any form of ABC license, public notice is required to be posed in a prominent place on the property, easily visible to passers-by, with contact numbers in order to enable questions and concerns.
8/25/2017	VA Statutes require notice re: an ABC application be posted on the "front door" of the property	<p>Problem: Some sites have long driveway setbacks, thus preventing reasonable knowledge of the application by the public, as was the case with BCBC</p> <p>Solution: Require prominent signage re: the application to be posted where reasonable passers-by may be informed.</p>
8/30/2017 and 9/6/2017	BCBC published notice in the Washington Post (WP) classifieds section of their ABC brewery application, as required by VA statutes: publish intent on 2 separate occasions in a publicly circulated paper.	<p>Problem: In rural communities, the circulation of the WP is limited. In the case of the Route 601 residents, only 10 of over 200 subscribe to the WP. (documented via conversation with WP carriers and regional distributor).</p> <p>Solution: VaABC PROPER NOTICE: POSTING AND PUBLICATION</p> <ul style="list-style-type: none"> Require publication to be in all community newspapers, both free and circulated, on two separate occasions, at least 2 weeks apart. <p>Problem: Each announcement was 1.5 x 2 inches in size, and buried in the classifieds ads section.</p> <p>Solution: Require a minimum size for each announcement, and that it be placed more appropriately in a local Metro, Business, or Neighborhood Happenings section, (e.g. Loudoun Times; Loudoun Now, etc).</p>
10/17/2017	BRMCA Welcoming Committee members went to the BCBC property, believing they were going to meet new residents, and/or leave BRMCA membership materials for them	<p>Problem: There was no one on the property; what they saw were areas of forest clearing, grading, and a new gazebo-type structure.</p> <p>Solution: Public advisement of new property use plans as previously stated.</p>
10/17/2017 - 3/30/2018	BRMCA filed complaints and concerns with LC, regarding plans, construction, noise, traffic, fire safety, water health, septic management, etc	<p>Problem: LACK OF PERMITS</p> <p>BCBC began work without engineered plans for additional wells, additional septic, new construction, etc.</p> <p>Solution:</p> <ul style="list-style-type: none"> Require LC to have in hand the final definitive plan requested for property development and construction, and to then issue clearly stated application requirements and approvals BEFORE work is begun. Require periodic on-site inspections by relevant LC departments <p>Problem: ENFORCEMENT BY COMPLAINT</p> <p>Adjacent neighbors experienced sound and noise pollution, negatively impacting their quietude and use of their property</p> <p>Solution: Establish clearly stated hours of construction operation; set back; noise and light protective barriers</p> <p>Problem: INCONSISTENT COUNTY REQUIREMENTS</p>

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		<p>Benjamin Farmery stated BCBC was “the only” brewery required to obtain certain permits; that he spoke with other local “farm breweries” and was told those establishments did not require any permits due their Agri-business status.</p> <p>Solution: LC to make clear at any and all meetings with prospective land disturbing entities exactly what is required; make sure there have copies of same, and craft a plan for reasonable oversight of the development process.</p>
4/26/2018	Loudoun Records list this as a sale date for the property, from Bluemont Estates, LLC to Bluemont Estates, LLC; sale price \$0	
6/19/2018 - 8/22/2018	Adjacent neighbors notify LC of land clearing, noise and light disruptions	<p>Problem: NOISE ORDINANCES UNCLEAR (ZONING VS. CODIFIED) Lack of understanding of LC regulations by BCBC as to noise, light; difficulty getting an official noise reading by LC officials:</p> <p>Solution: Clear documentation to enterprise of regulations, with same shared to neighbors</p>
6/19	Bluemont resident reaches out to Paris Neighborhood—“Anyone else getting blasted off the mountain tonight?” in reference to BCBC music event. Dialogue via Paris Neighborhood site; others concerned re: noise, traffic at 601 & 7.	<p>Problem: ENFORCEMENT BY COMPLAINT Noise pollution from music events at BCBC</p> <p>Solution: Report via LEX; request courtesy from ownership; advise ownership re: regulations</p>
7/6/2018	BCBC submits engineered plans for 2nd driveway to VDOT	
8/2/2018	VDOT issued permit for 2nd driveway, as required by the level of activity generated by the advertised brewery, tap room, and music events	<p>Problem: The proximity to residences; traffic congestion for residents; parking along 601; overflow parking into VDOT lot at Route 7, and pedestrian traffic to brewery; bus in ditch trying to bring guests to site</p> <p>Solution: LC to require certain minimum acreages and/or set backs; limited auto traffic; develop a clear cut regulation re: the # of guests a site may host, and a way to enforce this.</p>
8/4/2018	BCBC officials opens per their on line announcement **	<p>Problem: NO AG FOR RURAL AG BUSINESS BCBC claims they are growing hops, and have plans “to plant an orchard of fruit trees...as well as expand our hop fields to yield even more ingredients for our brewery.” This “farm” or supposed “agri-business” does not have those crops growing on site in a meaningful way.</p> <p>Solution: DEFINITION OF “FARM” VA needs stronger statutes to encourage true farm operations, and to protect rural lands from shabby agri-business operations.</p>
9/30/2018	Adjacent neighbors advise LC of Lighting and Landscape buffer violations by BCBC	<p>Problem: As stated</p> <p>Solution: LC advised BCBC of violations; fence barrier constructed; lighting modified</p>
10/20/2018	Tour bus attempting to turn around south of BCBC, landed on private property stone wall, disabled.	<p>Problem: As stated, reported by a BRMCA member</p> <p>Solution: Unknown; the bus is gone.</p>
2/10/2019	BCBC on line advertises Bear Chase Manor as a B&B, but also directs people to seek information at “View listing on VRBO.”	<p>Problem: MULTIPLE RURAL USES. Uncertainty under which entity BC Manor is operating, and how to manage overlap of regulations for a brewery/taproom/music event venue with the BC Manor regulations.</p> <p>Solution: LC to clarify and define</p>

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3/14/2019	BCBC advertises serving off site at The Manor in Round Hill.	Problem: Is BCBC within their ABC license for a "Limited Brewery" as they new are beginning of-site distribution of their product Solution: Confirm any updated licensing with ABC Board
5/10/2019	BCBC is granted an ABC license to serve wine.	Problems: VaABC POSTING AND PUBLICATION <ul style="list-style-type: none"> • No public notice was posted in a reasonable place on the property so that the public could be aware. • Public notice was posted in the Washington Times, which has only on-line circulation outside of the immediate Washington, DC metro area Solutions: <ul style="list-style-type: none"> • Require reasonable posting so that passers-by can be aware and have time to respond to ABC board. • Require a minimum size for each announcement, and that it be placed more appropriately in a local Metro, Business, or Neighborhood Happenings section. (Loudoun Times, Loudoun Now, etc).
5/11/2019	Public intoxication and assault at BCBC	Problem: As stated Solution: 3 arrests by LC Sheriff's department