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APPEALS
(Chapter 2.88 of Napa County Code)

TO BE COMPLETED BY APPELLANT*
(Please type or print legibly)

Appellant's Name: William Ballentine, Jr.

Telephone #: 963.1727 **Fax #:** 963.5656 **E-Mail:** William@WilliamColeVineyard.com

Mailing Address: P.O. Box 692 St. Helena CA 94574
No. Street City State Zip

Status of Appellant's Interest in Property: Adjacent Property Owner
project applicant, adjacent property owner, other (describe)

Action Being Appealed: Winery minor modification

Permittee Name: Mollet Family Estate Winery

Permittee Address: 2825 St. Helena Hwy. N. St. Helena CA 94574
No. Street City State Zip

Permit Number: P10-00350 **Date of Decision:**

Nature of Permit or Decision:

Reason for Appeal (Be Specific - If the basis of the appeal will be, in whole or in part, that there was a prejudicial abuse of discretion on the part of the approving authority, that there was a lack of a fair and impartial hearing, or that no facts were presented to the approving authority that support the decision, factual or legal basis for such grounds of appeal must be expressly stated or they are waived. (attach additional sheet if necessary):

(See Attached)

If the basis of the appeal will be, in whole or in part, that the environmental determination under the California Environmental Quality Act is inadequate, please provide: a detailed statement supported by substantial evidence for each insignificant or less than significant impact identified in the initial study that the appellant contends may be significant, a detailed legal and factual statement indicating why the project is not exempt, and a detailed statement supported by substantial evidence describing why the Negative/Mitigated Negative Declaration or EIR is inadequate.) (attach additional sheet if necessary)

Project Site Address/Location: _____
Street City State Zip

Assessor's Parcel No.: _____

Signature of Appellant *William Ballentine Jr* **3/8/2011** **William Ballentine Jr**
Date PRINT NAME

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Total Fee: \$ 471.63 **Receipt Nos.:** 716915 **Received by:** Chacdi Flores **Date:** 3/14/11

* The following information, in addition to the information required by this form also needs to be provided as attachments hereto pursuant to County Code Section 2.88.050 (F-I): Title Insurance Report, Assessor's Map Book Pages, and Appeals Fee.

CK # 7590

REASON FOR APPEAL:

Conditional Use Permit P09-00127-VMM expired on its own terms and the County of Napa had no authority to extend the two-year limitation imposed by Napa County Ordinance No. 18-124-080. Therefore, this Use Permit has expired.

There was no notification to any neighbors for the extension of the use permit.

Every neighbor is against this proposed new winery using the north entrance driveway.

Of major biggest concern is health and safety regarding the project and highway access, it is a high-fatality intersection on Hwy 29/Deer Park Road.

The changes in the Minor Modifications are a larger percentage than is allowed by a Minor Modification.

Is there a requirement to earthquake retrofit the existing stone building since it will be commercial use and will be a tasting room?

There is no legal access off the current road to the hill where the proposed water tanks are going. The original design had them on the south side of the building.

All their drainage water runs onto our property, more usage will create more of a problem.

In the minor modification they want to do their project in phases and for our neighborhood we feel it should be built all at once in order to not drag out the construction. We are very concerned this project will become a tasting room only on Hwy. 29 and not a complete winery operation.

The proposed crush pad (according to the minor modification) will be on our shared road and the neighbors' access will be hindered with forklift activity and delivery trucks blocking the road. Crush pad should stay on south side as proposed in original use permit. The new proposed location is 60' from our house. The proposed new crush pad is larger than the footprint (bottom floor) of the stone building.

Neighbors would prefer no signage on highway, will bring unnecessary traffic into our neighborhood.

The proposed winery uses mostly Sonoma County grapes, the owner owns vineyard properties in Sonoma; who will monitor that they comply with Napa County rules of 75% of Napa County grapes crushed and bottled only at a Napa County winery?