

Frost, Melissa

Subject: FW: Cahill Winery Proposal - South Whitehall Lane, St Helena

From: **Gary Otto** <garyotto@jhrep.com>

Date: Thu, Feb 9, 2017 at 2:25 PM

Subject: Cahill Winery Proposal - South Whitehall Lane, St Helena

To: "mikebasayne@gmail.com" <mikebasayne@gmail.com>, "anne.cottrell@lucene.com" <anne.cottrell@lucene.com>, "tkscottco@aol.com" <tkscottco@aol.com>, "jerigillpc@outlook.com" <jerigillpc@outlook.com>, "joellegallagher@gmail.com" <joellegallagher@gmail.com>

To Whom It May Concern:

I am sending this letter to you as a member of the planning commission for the Napa Valley, in the hope that you will hear the pleas of the neighbors in the area, who will be severely impacted by the approval of the Cahill Winery petition.

The subject petition to convert a home in a residential neighborhood into a winery involves the most basic of questions: what are neighbors, property owners and those who share common private streets and right of ways, to do when a home becomes a full-scale business?

All homeowners affected by the attempt to irreparably alter the streets, traffic, noise levels, sites and peaceful existence (and there are perhaps 100 or so such homes) are of course in opposition to this proposal. In fact, petitioner would be hard pressed to find a single homeowner in the area who would promote this petition.

There is more at stake than just the right to enjoy one's home and property. We believe that, for many reasons, some of which are listed below, the approval of the petition will detrimentally affect our way of life, and our right and ability to enjoy our beautiful slice of the Napa Valley (for which we have paid handsomely):

1. The noise attendant to the required use of pumps, generators, forklifts, filters and other equipment reverberates uphill in all directions from this canyon floor setting.
2. Bright, long distance lighting, required for work conducted without sufficient daylight is visible and distracting for substantial distances.
3. Ingress and egress is available through only a Narrow Single lane Private Road which is in disrepair and far smaller than required by code; it cannot be traversed by gondolas, multi-sized trucks, etc. Any attempt to navigate roads by these vehicles, most of which may be necessary for the operating of the winery, will result in further degradation of the road. In addition, there will be an additional 20 or 30 vehicles necessary for the owners and their labor force to travel the private road on a daily basis, thereby increasing the traffic on the road by many multiples. This will cause additional degradation to the road condition, and will increase noise and traffic agitation.
4. Flooding regularly affects this road as well as the creek and downstream lands, homes and vineyards. The risk is substantial that the proposed venture will worsen this condition.
5. The traffic increase will certainly affect all users of this private road while trying to get to and from their homes and property.
6. The homes in the area all survive using water from the aquifer via personal water pumps. The water supply has decreased alarmingly over the years due to lack of rains etc. The operation of a winery would utilize

an unfair portion of the general areas water supply, and with levels such as they are, that significantly affect the general areas ability to sustain itself could

Unfortunately, we do not believe there are mitigating alternatives to these problems. I urge you in the strongest terms possible, for the sake of our county, St. Helena, and the many good people who will be harmed by this petition, to deny it.

Thank you,

Gary C. Otto
1484 South Whitehall Lane, St. Helena

SWIA
South Whitehall Lane Improvement Association

David and Leslie Moreland	1447 S. Whitehall Lane
Alan and Katherine Fowler	1449 S. Whitehall Lane
Mariana Bradford Rowe	S. Whitehall Lane
Pamela Andrews	S. Whitehall Lane
Bruce and Pam Krell	1455 S. Whitehall Lane
John and Sandy Thompson	1457 S. Whitehall Lane
Dr. Alan Scott and Heidi	1471 S. Whitehall Lane
Gary and Hanna Otto	1484 S. Whitehall Lane
John and Barbara Witt	1500 S. Whitehall Lane
Leslie Velasco	1500 S. Whitehall Lane
Witt	1496 S. Whitehall Lane
Don Nelson	1505 S. Whitehall Lane
Helen Anderson	1513 S. Whitehall Lane
James and Kaye Doyle	1443 S. Whitehall Lane
Mr. and Mrs. Donald Thomas	S. Whitehall Lane
The Hornberger Family	1571 S. Whitehall Lane
Pat and Julie Garvey	1445 S. Whitehall Lane
Julie Johnson and Jon Engelskirger	1620 S. Whitehall Lane
Matt and Kami Smith	1480 S. Whitehall Lane

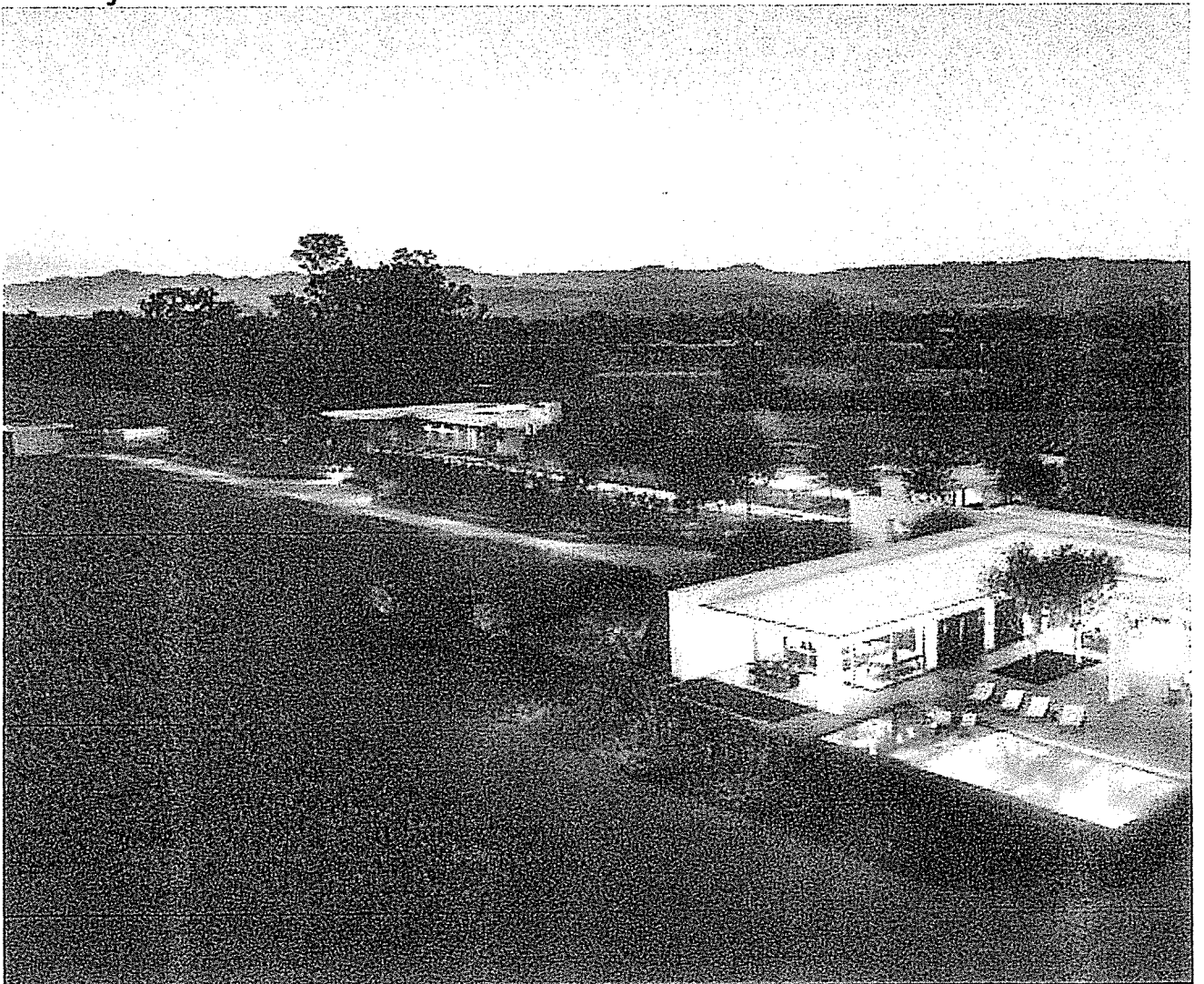
From the San Francisco Business Times:

A 20-acre wine estate being built on spec in Napa Valley is on the market for \$38 million.

The estate is under construction until 2016, but already there are interested buyers, said listing agents Gregg Lynn and Ginger Martin of Sotheby's International Realty.

Feature Image/Slideshow (lg/xl)

Gallery



THE WALL STREET JOURNAL.

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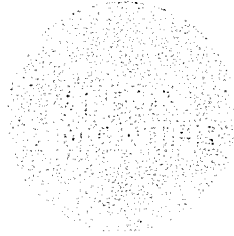
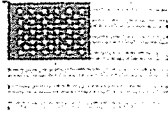
<http://www.wsj.com/articles/spec-home-in-napa-valleys-st-helena-lists-for-38-million-1433449533>

REAL ESTATE | PRIVATE PROPERTIES

Spec Home in Napa Valley's St. Helena Lists for \$38 Million

Agents believe the property is the most expensive residence without a winery to list in the market

THE WALL STREET JOURNAL.



TRUMP'S DAY ONE

New agenda. Know the impact.

ACT NOW

SWIA
SOUTH WHITEHALL LANE IMPROVEMENT ASSOCIATION

February 15, 2017

Dear Commissioners:

Before I talk about the proposed Cahill winery project I want to thank the Commissioners who visited the site.

In your folders I've attached a list of SWIA members who oppose the WHL Winery - Use Permit (#P15-00215-UP) Project. Some members have written letters and others will speak to you this morning. I would like to begin by pointing out major flooding concerns we have experienced within the past month. I have put these photos in your folders.

Rather than list all my concerns I will focus on the most significant ones. They are:

1. **Bale Slough** is a blue line stream that flows into the Napa River. It is one of the important hydrological features of the Napa Valley. (This statement is taken from the Geomorphology and Hydrology study that was supported by experts in getting final approval on Rutherford and Oakville Appellations by the Bureau of Alcohol, Tobacco and Firearms, Page 33). The applicant and their CEQA review have not taken this important stream into account when considering a Negative Declaration. The 6' culvert is undersized and needs to be replaced by a licensed engineer. Flooding in January and February created a near disaster when a neighbor fell into the floodwaters. I inspected the culvert Sunday. As it stands now, almost half of the culvert is filled with gravel and sediment further reducing the volume it can handle. The applicant acknowledged this problem in a January 6 email to me when he wrote, "**The culvert backs up due to issues with Bale Slough, which one cannot address without Government Involvement**". This statement and email is highlighted in your folder.
2. **Water** - Applicant has constructed a berm and undersized a drain that impedes southeast water flow from the Johnson - Engelskirger, Campbell, Hornberger, and Garvey vineyards. The applicants' proposed winery pad will be in a flood zone and precise measurements regarding pad and road will be critical. An engineered plan no matter how well it's executed will cause a more serious flooding condition in an already flooded section of this narrow road. Three acres of Hornberger and Garvey vineyards were under water during recent storms and this could easily double with an elevated winery pad and road. Spring flooding could seriously damage our vines. I will need to be compensated for vines I lose in this part of my vineyard. To whom do you recommend I send my bill?

3. **Traffic.** The request for an exception to the County's Road and Street Standards (RSS) to allow widths of less than 22-feet is not just 630 ' but 3,168 ' of private road. I wanted to make this point clearer. Six Hundred and Thirty feet (630') is 10' wide. (A typical F150 pick-up measures almost 7' in width). There is only one turnout on this leg of the road.

Additional turnouts need to be installed on this entire private road to prevent traffic congestion and accidents.

4. **Health and Safety** has to be a concern for all of us but most importantly the Planning Commission. The request for an exception to the County's Street Standards hasn't been looked at closely. Fire Trucks and Medical Support Vehicles will find this narrow road nearly impassable with oncoming traffic. Safety of homeowners is not a negotiable item.
5. The Applicant sent out a **New Project Courtesy Notice** on July 6, 2015. Julie and I received a letter from the applicant and Donna Oldford, Winery consultant, which was mailed from 737 Olive Way, #3901 Seattle, Washington. The signed letter stated the following:
 - a. The winery will crush only "**estate grown grapes**"
 - b. The existing vineyards **on - site** will remain
 - c. Almost half of the 6,964-square foot structure will be designed as an **underground cellar** for barrel aging
 - d. A stone parapet will enclose the mechanical equipment area
 - e. A total of **two full time employees and two part time employees** will be needed for crush
 - f. There would be **No water tanks**
 - g. The hours of operation was **7 days a week - 6am - 6pm**
 - h. There wasn't a word mentioned on **Hold and Haul** nor any word mentioned on mitigating **noise and lights**
 - i. The letter further stated that with only estate grown grapes, and no tours and tastings or marketing events the Applicant will give "**neighbors a level of reassurance that this small winery will be compatible with residences and other nearby wineries on South Whitehall Lane and Whitehall Lane.**" Mr. Cahill and Ms. Oldford summarized the two-page letter by saying that they are both committed to the new residence and winery being a "**good neighbor on South Whitehall Lane**".
6. If the Winery is approved against the wishes of SWIA members then Mr. Cahill's "**good neighbor**" reference should be adopted as it was expressed in the New Project Courtesy Notice sent to us on July 8, 2015. Perhaps the one exception being the 7-day week, 6am - 6pm. Why would this facility need to be opened 84 hours per week?

7. There was a rumor among neighbors that a **Heliport** was being considered for the property. Obviously, there isn't a neighbor in SWIA or other parts of Whitehall Lane that would agree to this.....nor should the Commissioners.
8. I don't want the Commissioners to think we haven't been good neighbors. I met with Mr. Cahill and Mark Hornberger and I met with Donna Oldford to discuss his project. Also, Julie and I have granted him an Easement he needed from Pacific Gas and Electric Company.

Best Regards,

Patrick J. Garvey
President
SWIA

Julie Garvey
1445 South Whitehall Lane
St. Helena, CA 94574

Let me begin by thanking those of you who took the time to visit the site with us and for meeting with us.

I want to stress that this is not a group of NIMBY's who are trying to keep someone out of the neighborhood. Pat and I, in fact, signed a document some years ago to allow PG&E to have an easement on our property for the benefit of the Cahill's.

We are a small rural neighborhood that is being overwhelmed by a project that does not adequately address its impact on the safety and wellbeing of near-by residents. This is the case of a project that is already adversely affecting the neighborhood in several ways, including flooding, increased traffic on an undersized road, draw down from the aquifer, and lights that illuminate the 2 uninhabited houses as if this were San Francisco's City Hall instead of an agricultural preserve.

This newest request for a winery might just be the straw that breaks the camel's back.

Mr. Cahill bought land that others overlooked because of its reputation as wetlands. This property historically functioned as an exquisite natural flood project. In periods of heavy rains, it became a lake, an important fly zone for geese and other birds...but most importantly it captured overflow from the local creeks and tributaries of the Bale Slough, saving properties north and south, east and west from damaging flooding.

The Cahill's put in an elaborate drain system and brought countless truckloads of dirt to raise their structures above the flood zone creating a functional boundary that secured their safety but has threatened ours. Water is being channeled into the slough that depended on this very property as an overflow. In addition, water that backs up on their property now heads toward an undersized and under engineered existing culvert. The water has to go somewhere...and we are finding out where the water is going....

Even last year, a drought year, our vineyard received the unwelcome and unwanted gift of the overflow from the Cahill property.

This year, the water spilled across the road into our vineyard frequently. This is not just an inconvenience; it is a safety hazard. It is also a threat to our livelihood. Pat and I have grown cabernet grapes that are of the highest quality on our property since 1989 and have never experienced flooding as we are now.

You cannot dump tremendous amounts of water into a culvert that was barely adequate prior to this project and expect it to be able to handle the increased flow – and, yet that is exactly what Mr. Cahill did and that is what the county has approved.

In anticipation of a large storm in January of this year, Mr. Cahill sent us a letter describing his drainage plan and the great pains that he has taken to mitigate the water issues. My eyes caught his comments regarding the Hornberger Y: “The primary means of egress is under the road and into the culvert. **The culvert backs up due to issues with Bale slough, which one cannot address without government involvement.**”

These are key words. Further, Mr. Cahill described how he had taken no shortcuts. The bottom line is that his system is not working because his property was the safety valve in a larger hydrology system. Let’s face it; some land is just not appropriate for development. We citizens of Napa County, of all people, should understand this. We have just applauded the Napa Flood project that took millions of dollars to build. But let’s be clear, this was a remedy for years of bad planning policy that allowed construction to pinch the Napa River and tried to confine it. The Cahill property was our flood plan....now, it is our problem.

We are at a point where one has to consider the whole of the slough not just the Cahill property. This is a project that requires a larger lens and government involvement.

A winery structure, the parking lot, another driveway, a tank pad will further displace water. How will the applicant mitigate this increased flow? I see no adequate mitigations. The **current** mitigations that the property owner is operating under **are already inadequate**. The county needs to take great care here – expanded use of the property will have dire results. The county has a responsibility to not only consider the applicant but also the impact that that applicant has on the surrounding neighbors. So far, things are not working very well.

Patrick Cahill and Donna Oldford expressed in their letter to Pat and me in 2015 that they wanted to be good neighbors and I suspect they think they have been. They have paved the short section of the road that leads to their property “without request for financial assistance, yet” according to Mr. Cahill

Neighbors, however, have to live in the neighborhood to appreciate their affect on the area and how they can be a constructive presence. Mr. and Mrs. Cahill live in Seattle. Perhaps they don’t appreciate the fragile beauty of the night sky and so they are oblivious to the affect that their security lights and now, flood lights that often shine from dusk to dawn on empty buildings, are to their neighbors.

Let’s remember, this is a SPEC house. It has already been advertised in the Wall Street Journal with an asking price of \$38M WITHOUT WINERY. This makes your decision even more critical and the mitigations more vital. This is a transaction in

which Mr. Cahill is asking for more than he needs. For example, the building request is oversized for the quantity of grapes that this property can produce. In their letter in 2015, Cahill and Oldford assured us that the wines would come only from grapes grown on the property to minimize traffic issues. However the actual application does not state this.

My greatest hope is that you would deny this permit until the property has been sold so that the individual who will actually operate the winery can apply for a permit. I also hope that any future considerations of a winery would include a larger impact study that includes a plan for the entirety of the Bale Slough.

Thank you for your time and consideration.

Respectfully,

Julie Garvey

Winery Application Request
1561 South Whitehall Lane - WHL Winery

10 February, 2017

Dear Mr. Trippi and Commissioners,

We are opposed to the application permit request for a new winery at 1561 South Whitehall Lane for the following reasons:

1. We live directly above the proposed winery site. The noise factor coming up through the canyon below us would be troublesome. We already get a fair amount of noise from Tres Sobores winery work.
2. Our 5 home community shares a well that is directly across from the WHL proposed winery site. We are concerned about the impact of water usage on our existing well. While the water table may be higher now because of the rainy season we have had, it would and could still affect the height of the water table, as it has over the last 4 years.
3. It's obvious that the road to be used is not wide enough to handle the additional traffic that a project like this would cause. This section of road, at this time, is totally inadequate for even the current traffic flow, let alone any further development such as the addition of a new winery.
4. The impact on the road that we "T" off of would be greater than the road could handle. This is a private road that is maintained by our little community, not the county. The additional expense for upkeep would impact all of us.
5. While we are not impacted as heavily as our neighbors along that section of road, we do understand the erosion issues that will impact them and we support their opposition and concerns for these erosion issues.

Respectfully,

Alan & Kathryn Fowler
1449 South Whitehall Lane
Saint Helena, CA 94574

February 8th, 2017

To: Napa County Planning Commissioners
Sean Trippi-Project Planner, Napa County

Re: Winery Application Request at 1561 So. Whitehall Lane-WHL Winery

Dear Planning Commissioners and Mr Trippi,

I am writing in response to a public notice received regarding the WHL Winery request. We live at 1480 So Whitehall Lane which as you know is a private drive. My wife and I have 2 children aged 10 and 13.

We OPPOSE the applicants request to put in a winery at 1561 So Whitehall Lane for the following reasons:

1. TRAFFIC AND CHILD/PUBLIC SAFETY-The most obvious is our 2 children enjoy walking their dogs and riding their bicycles up and down So Whitehall Lane. With the addition of 20-30 more vehicles per day including large wine related vehicles on a road that is 10-15 ft wide it creates a very dangerous situation. This is a very active community that enjoys morning and evening walks and will be exposed to unneeded danger.
2. ENVIRONMENTAL IMPACT- With a winery comes additional equipment related noise, light, equipment related pollution and the spread of additional greenhouse gases. We have not seen any impact studies to date.
3. EROSION CONTROL-With the recent flooding this is a huge issue. The current culvert size and drain off is insufficient to accommodate a large scale project such as this and will only exacerbate the problem.
4. WATER RESOURCE MANAGEMENT-As we work through this extended drought it seems to be poor stewardship to further deplete a diminishing resource.
5. Blue Line Stream Preservation-This needs to be further evaluated to look at the winery property and potential blue line stream disruption.

We hope you will weigh all aspects of this winery request and agree with the entire HOA that OPPOSES the requested winery permit.

Sincerely,

Matt and Kami Smith

February 13, 2017

To: Napa County Planning Commissioners: Michael Basayne, Anne Cottrell,
TerryScott, Jeri Gill, Joelle Gallagher

Project Planner: Sean Trippi

Re: Winery Application Request at 1561 So. Whitehall Lane - WHL Winery

Dear Planning Commissioners and Mr. Trippi,


I am writing in OPPOSITION to the request to build a winery at 1561 S. Whitehall Lane. I reside due west of the property in question, at 1621 South Whitehall Lane. The only means of reaching Hwy 29 is the community road that passes in front of the property at 1561 S. Whitehall. My concerns include Health and Safety, flooding and the altered nature of the Bale Slough drainage, width and nature of the roadway, wastewater treatment or removal, and fresh water resources. In the best case scenario, all of these issues would still be problematic for reasons that will no doubt be expressed and explained by those speaking for the opposition at the upcoming hearing.

Please also consider the possibility that allowing a winery project at this site only expands the range of unintended and significant consequences already in play. Previously the property had been a horse boarding facility and home to a caretaker. This use was altogether reasonable given that the south half of the property would become a natural ponding lagoon within the Bale Slough at least once or twice during an average winter. The horse pasture became a bit smaller after a few days of steady rain, but with no real impact on the road, neighboring properties, or the health and safety of those traveling on and maintaining the road, drainage culverts, etc. After purchase, massive amounts of soil were imported onto the property. Building of a guest house began, and later an article appeared in the Wall Street Journal, advertising the project as a spec residential project. As the main residence neared completion, it was becoming clear that the elevation added by way of soil importation had not fully protected the property from flooding, and so high berms were added to further deflect water to neighboring properties.

From the beginning, best attempts to turn what was clearly not a premier property for grape growing into a sizable payday when sold, has left neighbors wondering when reason might prevail. If this attempt at making lemonade has left neighbors sour, the owner/developer has only himself to blame. I ask that you take the time to fully understand the impact that this project will have on neighbors, whose intention it is to live here as full time residents, and like so many others, whose respect for our valley has been at the crux of what provides true value for so many.

Thank you,

Jon Engelskirger

From: **Pat Cahill** pcahill@calfox.com 
Subject: **Re: Possible Flooding**
Date: **January 6, 2017 at 6:25 PM**
To: **Patrick Garvey** pgarvey45@gmail.com, **TKCAssociates** TKCAssociates@gmail.com, **Julie Johnson** jaj@tressabores.com, **Mark Hornberger** hornberger@hwiarchitects.com
Cc: **jkgarv** jkgarv@gmail.com, **cyclewine** cyclewine@cox.net, **napahoney** napahoney@yahoo.com, **Jeff Woods** jeff@blackmountaindev.com, **Matt Aldridge** matta@blackmountaindev.com, **Pat Cahill** pcahill@calfox.com

Pat,

We are aware of the heavy rains expected this coming weekend and week, as well as those from prior weeks. This Wednesday I asked Jeff Woods and Matt Aldridge, copied here and who work on my property, to have a game plan for this storm. They will visit my property daily and they stand ready with an additional laborer to remove any large debris that flows downstream that might create additional burdens for the immediate area (as happens in these types of storms).

Given your statements below, I remind you of the following, which we have discussed previously:

- With respect to Hornberger's "Y":
 - The primary means of egress is under the road and into the culvert. The culvert backs up due to issues with Bale slough, which one cannot address without government involvement. Should this back up, preventing water from Hornberger's catch basin from being delivered into the culvert, my drainage plan is designed to do the following:
 - Overflow from Hornberger's sump area goes into the sump pump on my property, and is pumped across my property and into a detention area at the far end of my property;
 - Should this means fail or be overwhelmed, water floods across my property's vineyard and into other low-lying areas on my property in accordance with our grading plan;
 - The 3 berms you mentioned are designed to direct water down gradient and towards the "Y", where the methods above come into play;
 - In the past few years work has been done by others, adjacent and up gradient to me, that has altered the flow of water without taking my needs into account. I am the down gradient neighbor, and I have a right to reasonably protect my property from damage. The standard of care is higher for up gradient neighbors. Nonetheless, I designed a system (engineered, permitted and installed by high quality contractors) that takes both my property and those around me into account. As such, I spent extra money on design and construction to accommodate both needs, not just my own. The result is a belts-and-suspenders approach.

I do appreciate the maintenance work that I understand you have done with respect to debris, as I trust you appreciate the restoration of the road that was overseen by my contractor and paid for by me (without request for financial assistance, yet).

If you would like to talk to Jeff or Matt about ways to work together over the weekend to take care of any issues that arise with the storm, please let me know and I'll have them reach out to you.

Regards,

Patrick A. Cahill
CALFOX, INC.
737 Olive Way, #3901
Seattle, WA 98101
Direct: 206-732-6515
Cellular: 415-793-0544

1457 South Whitehall Lane
St. Helena, CA 94574
saludwi9406@yahoo.com
February 13, 2017

County of Napa
Planning Commission
1195 Third Street, Suite 210
Napa, CA 54559

Planning Commission:

My husband, John W. Thompson, and I have some concerns about the proposed winery on South Whitehall Lane. We also hope to draw your attention to the accumulative impact this project and the proposed changes to the conditional use permit at UVDS nearby.

As a former planning commissioner, I tried to adhere to the following premise whenever I reviewed a matter. That being: a property owner should know with reasonable certainty what may be done on the land when they purchase the property.

The Cahills had no such expectation. They come to you to ask for something out of the ordinary. This project will impact neighbors and the enjoyment of their homes. This is a residential community. The matters we ask you to consider are these:

1. The noise and lighting, especially during harvest, will change the neighborhood greatly. The rhythm of the neighborhood will change from light activity to that which may bring workers onto the property as early as 3 am and have them leaving at 10 pm. Lights and machinery will be operated during those periods, all involving increased light and noise. Much of that noise will reverberate to our uphill homes.
2. Traffic patterns and volume will change. These are narrow private roads with very limited shoulders, if at all. There are also dramatic curves at two points: one sharp left after the Whitehall split and another right hand curve as you approach the subject property. Additionally, there is nearly a blind intersection after crossing the bridge at the Whitehall split. This is a safety matter. I would also add that these roads are used frequently by pedestrians and these uses are not complimentary, given the existing road characteristics.
3. Who bears the cost of road wear and tear, given the additional use by heavier and more frequent travel?
4. While I know you only consider one matter at a time, the issue of the accumulative impact of the Cahill proposal and the UVDS proposal make great demands on our residential neighborhood. Both will undoubtedly impact our enjoyment as we know it today. It may also impact our property values. Many of us have the same concerns about UVDS' plans when it comes to traffic and safety. And while change is inevitable, is it reasonable for those of use in the neighborhood to shoulder so much change and risk at the same time? I don't think so.

Thank you for considering these concerns. If you have any questions or comments, please feel free to contact me at the email address above or on my mobile at 650 704-2768.

Sandi Thompson

To Whom It May Concern:

The current petition to convert a home in a residential neighborhood into a winery involves the most basic of questions: what are neighbors, property owners and those who share common private streets and right of ways to do when a home becomes a full-scale business?

All homeowners affected by the attempt to irreparably alter the streets, traffic, noise levels, sites and peaceful existence (and there are perhaps 100 or so such homes) are of course in opposition to this proposal. In fact, petitioner and his chosen representative (Who earns in enormous sums of money for seeking and obtaining these permits) would be hard pressed to find a single homeowner in the area who would promote this petition. Unfortunately, there is more at stake than just the right to enjoy ones home and property.

1. The noise attendant to the required use of pumps, generators, forklift, filters and other equipment reverberates uphill in all directions from this canyon floor setting.
2. Bright, long distance lighting, required for work conducted without sufficient daylight is visible for substantial distances.
3. Ingress and egress is available through only a Narrow Single lane Private Road which is in disrepair and far smaller than required by code; it cannot be traversed by gondolas, multi-sized trucks, etc. in addition to 20 or 30 vehicles necessary for the owners and their labor force.
4. Flooding affects this road as well as the creek and downstream lands, homes and vineyards. The risk is substantial that the proposed venture will worsen this condition.
5. The traffic increase will certainly affect all users of this private road while trying to get to and from their homes and property.

There are no mitigating alternatives to these problems. I urge you in the strongest terms possible, for the sake of our county, St. Helena, and the many people who will be harmed by this petition, to deny it.

Respectfully submitted by: Pam and Bruce Krell, 1455 S. Whitehall Lane
Gary C. Otto 1484 S. Whitehall Lane

February 7, 2017

James R & Kaye F Doyle
1443 S. Whitehall Lane
Saint Helena. CA 94574-9787
APN: 027 440 024 000

To:

Sean Trippi, Project Manager
Napa County Planning,
Building & Environmental Services Department,
1195 Third Street, Suite 210
Napa, CA 94559

Regarding: WHL WINERY- USE PERMIT (#P15-00215-UP) & ROAD AND STREET STANDARDS EXCEPTION REQUEST.

The following comments are intended to represent opposition to approval of the request cited above.

Concerns regarding this request and opposition are based on the following:

PUBLIC SAFETY

The width of the access roadway is significantly less than 22 feet and is essentially a one-way road that serves multiple family homes.

This roadway serves the needs of these properties regarding vehicles dealing with public safety, fire protection, and medical needs as related to ambulance access.

The proposed use of this roadway would significantly impact the access of such emergency vehicles and personnel due to the size of the roadway and size and nature of the winery vehicles/equipment and frequency of use of the access roadway by winery vehicles.

WATER USAGE/IMPACT ON EXISTING WATER NEEDS

An existing well on the Garvey property serves the needs of several homes on the uphill portion of Whitehall Lane and these properties have noted diminished water supplies during the recent drought. The addition of a winery to this underground water source during less than ideal years of rainfall could seriously impact the needs of these uphill homes as to daily use and fire protection.

TRAFFIC IMPACT

It is highly likely that the presence of a winery per this request under review would significantly increase the traffic impact on the roadway and would seriously impact access of those that routinely use the roadway and even more significantly those emergency vehicles related to public safety.

INGRESS, EGRESS

The narrow width of this roadway, practically speaking, makes it a one way roadway. This is especially true as related to the size of vehicles ordinarily associated with the functions of a winery. The presence of a winery would seriously and adversely effect ingress-egress.

NOISE & LIGHTS

Noise from a winery would increase the noise level in this ordinarily quiet area and it is recognized that the noise during certain times of the year would be 24/7 due to the nature of a winery operation. Associated lights would also be an unacceptable addition to this neighborhood.

We personally have been impacted by noise and lights during the construction of the existing structures on the property related to this request. I sincerely hope that the current request will not be granted since it is our belief that the addition of a winery will have an even greater adverse effect on the entire neighborhood

Respectfully,

James R. Doyle

Kaye F. Doyle

SWLD, LLC
737 Olive Way, # 3901
Seattle, WA 98101

July 8, 2015

Mr. & Mrs. Pat Garvey
1455 S. Whitehall Ln.
St. Helena, CA 94574

Dear Mr. & Mrs. Garvey:

As part of the neighborhood outreach effort designed to inform all neighbors of the application for a small winery at 1561 S. Whitehall Lane, we are writing this letter to you. The "We" in this letter is Pat Cahill, the owner, and Donna Oldford, the project's winery consultant. As the person with all of the Napa County application materials for this project, and as the person most able to organize any meetings that may be desired by neighbors, Donna has elected to be a signatory to this letter. With 25 years of experience with winery permits in Napa County, Donna is most able to answer questions about the County's process relative to our project. We recently filed our use permit application with the County and anticipate having a hearing before the Planning Commission sometime in the next four to eight months, by the County's estimate. So, we invite you to contact us with any questions you might have; alternatively, we would be very happy to meet with you personally to present the project being proposed and answer any questions you might have. Our contact information appears below.

Attached is a reduced-scale copy of our site plan for the property, as is a copy of the elevations for the proposed winery. The winery is proposed as a 10,000-gallon per year winery, with all of its wines coming from the grapes grown on the property. We are not proposing any tours and tastings or marketing events in association with the winery. We hope that 'no winery visitation' and 'all estate-grown grapes' characteristics give neighbors a level of reassurance that this small winery will be compatible with residences and other nearby wineries on South Whitehall Lane and Whitehall Lane. The existing vineyards on-site will remain.

The winery itself will be a 6,964-square foot structure with its design in keeping with the contemporary architecture of the residence. Almost half of this space has been designed as an underground cellar for barrel aging. Building materials will consist of glass, steel and a stucco façade with stone veneer. A stone parapet will enclose the winery's mechanical equipment area. The adjacent winery production area consists of a proposed 1,614-square foot outdoor covered crush pad. We envision a total of two full-time employees (one of whom may reside on-site) and two part-time employees for crush.

We are committed to both the new residence and the winery being a good neighbor on South Whitehall Lane. We look forward to an opportunity to meet the neighbors and to answer any questions that you may have about the winery use permit application.

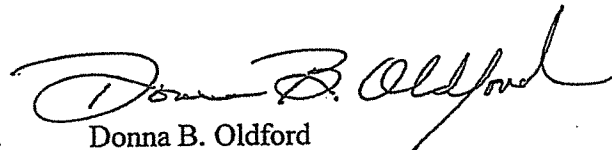
Pat Cahill's phone number is (415) 793-0544.

Donna Oldford's phone number at Plans4Wine is (707) 963-5832.

Sincerely,



Patrick Cahill
Owner



Donna B. Oldford
Winery Consultant, Plans4Wine

Enclosures: Site plan and winery elevations

RECEIVED W

FEB 14 2017

Napa County Planning, Building
& Environmental Services

February 7, 2017

James R & Kaye F Doyle
1443 S. Whitehall Lane
Saint Helena, CA 94574-9787
APN: 027 440 024 000

To:

Sean Trippi, Project Manager
Napa County Planning,
Building & Environmental Services Department,
1195 Third Street, Suite 210
Napa, CA 94559

Regarding: WHL WINERY- USE PERMIT (#P15-00215-UP) & ROAD AND STREET
STANDARDS EXCEPTION REQUEST.

The following comments are intended to represent opposition to approval of the request cited above.

Concerns regarding this request and opposition are based on the following:

PUBLIC SAFETY

The width of the access roadway is significantly less than 22 feet and is essentially a one-way road that serves multiple family homes.

This roadway serves the needs of these properties regarding vehicles dealing with public safety, fire protection, and medical needs as related to ambulance access.

The proposed use of this roadway would significantly impact the access of such emergency vehicles and personnel due to the size of the roadway and size and nature of the winery vehicles/equipment and frequency of use of the access roadway by winery vehicles.

WATER USAGE/IMPACT ON EXISTING WATER NEEDS

An existing well on the Garvey property serves the needs of several homes on the uphill portion of Whitehall Lane and these properties have noted diminished water supplies during the recent drought. The addition of a winery to this underground water source during less than ideal years of rainfall could seriously impact the needs of these uphill homes as to daily use and fire protection.

TRAFFIC IMPACT

It is highly likely that the presence of a winery per this request under review would significantly increase the traffic impact on the roadway and would seriously impact access of those that routinely use the roadway and even more significantly those emergency vehicles related to public safety.

INGRESS, EGRESS

The narrow width of this roadway, practically speaking, makes it a one way roadway. This is especially true as related to the size of vehicles ordinarily associated with the functions of a winery. The presence of a winery would seriously and adversely effect ingress-egress.

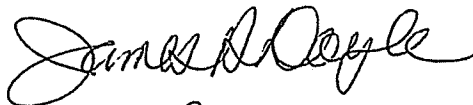
NOISE & LIGHTS

Noise from a winery would increase the noise level in this ordinarily quiet area and it is recognized that the noise during certain times of the year would be 24/7 due to the nature of a winery operation. Associated lights would also be an unacceptable addition to this neighborhood.

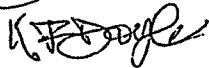
We personally have been impacted by noise and lights during the construction of the existing structures on the property related to this request. I sincerely hope that the current request will not be granted since it is our belief that the addition of a winery will have an even greater adverse effect on the entire neighborhood

Respectfully,

James R. Doyle



Kaye F. Doyle



SWIA
South Whitehall Lane Improvement Association

David and Leslie Moreland	1447 S. Whitehall Lane
Alan and Katherine Fowler	1449 S. Whitehall Lane
Mariana Bradford Rowe	S. Whitehall Lane
Pamela Andrews	S. Whitehall Lane
Bruce and Pam Krell	1455 S. Whitehall Lane
John and Sandy Thompson	1457 S. Whitehall Lane
Dr. Alan Scott and Heidi	1471 S. Whitehall Lane
Gary and Hanna Otto	1484 S. Whitehall Lane
John and Barbara Witt	1500 S. Whitehall Lane
Leslie Velasco	1500 S. Whitehall Lane
Witt	1496 S. Whitehall Lane
Don Nelson	1505 S. Whitehall Lane
Helen Anderson	1513 S. Whitehall Lane
James and Kaye Doyle	1443 S. Whitehall Lane
Mr. and Mrs. Donald Thomas	S. Whitehall Lane
The Hornberger Family	1571 S. Whitehall Lane
Pat and Julie Garvey	1445 S. Whitehall Lane
Julie Johnson and Jon Engelskirger	1620 S. Whitehall Lane
Matt and Kami Smith	1480 S. Whitehall Lane

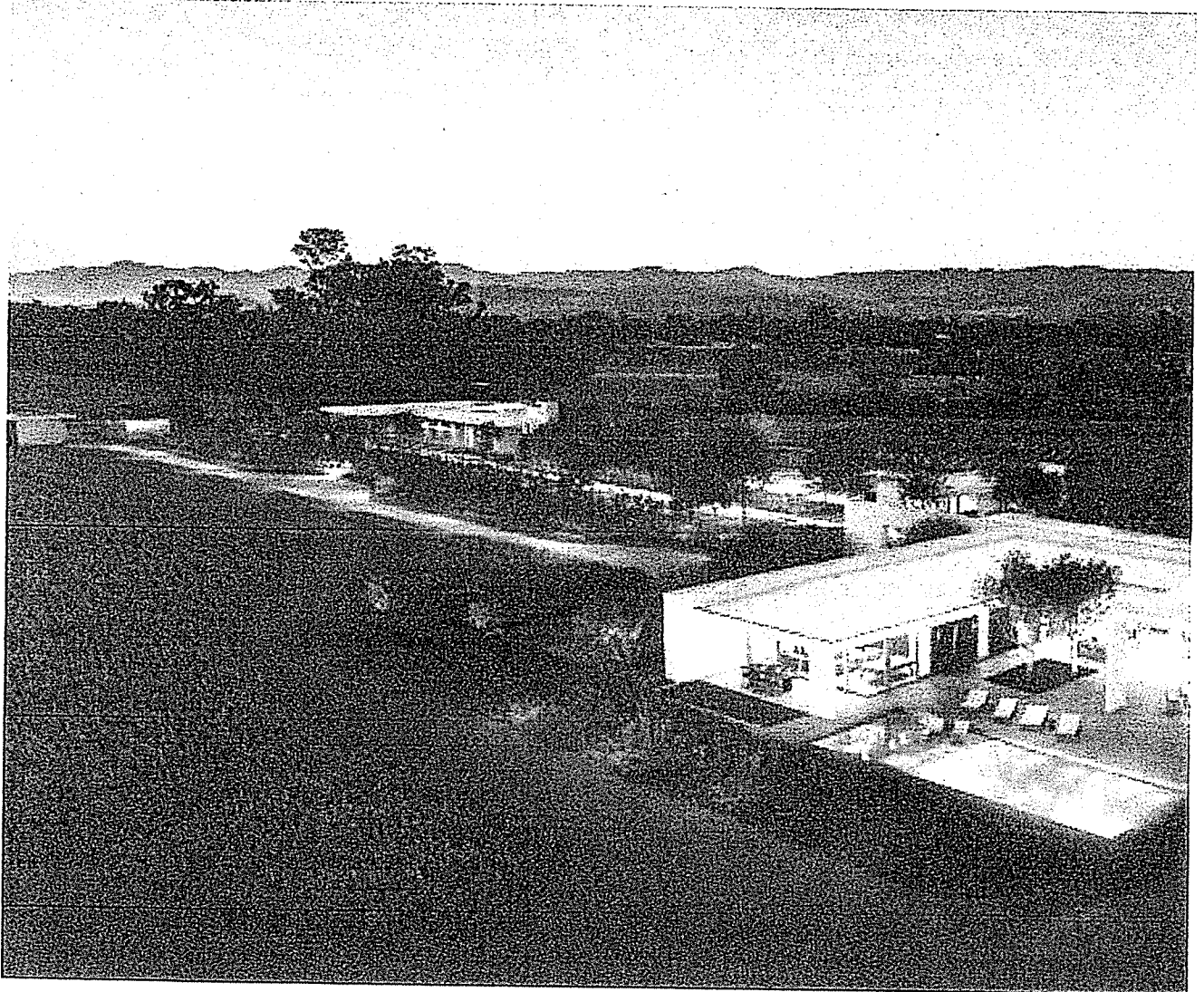
From the San Francisco Business Times:

A 20-acre wine estate being built on spec in Napa Valley is on the market for \$38 million.

The estate is under construction until 2016, but already there are interested buyers, said listing agents Gregg Lynn and Ginger Martin of Sotheby's International Realty.

Feature Image/Slideshow (lg/xl)

Gallery



THE WALL STREET JOURNAL.

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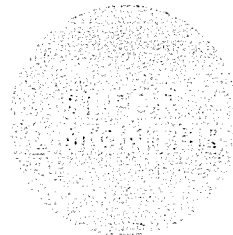
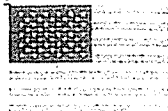
<http://www.wsj.com/articles/spec-home-in-napa-valleys-st-helena-lists-for-38-million-1433446533>

REAL ESTATE | PRIVATE PROPERTIES

Spec Home in Napa Valley's St. Helena Lists for \$38 Million

Agents believe the property is the most expensive residence without a winery to list in the market

THE WALL STREET JOURNAL.



PRESIDENT'S DAY SALE

New agenda. Know the impact.

ACT NOW

SWIA
SOUTH WHITEHALL LANE IMPROVEMENT ASSOCIATION

February 15, 2017

Dear Commissioners:

Before I talk about the proposed Cahill winery project I want to thank the Commissioners who visited the site.

In your folders I've attached a list of SWIA members who oppose the WHL Winery – Use Permit (#P15-00215-UP) Project. Some members have written letters and others will speak to you this morning. I would like to begin by pointing out major flooding concerns we have experienced within the past month. I have put these photos in your folders.

Rather than list all my concerns I will focus on the most significant ones. They are:

1. **Bale Slough** is a blue line stream that flows into the Napa River. It is one of the important hydrological features of the Napa Valley. (This statement is taken from the Geomorphology and Hydrology study that was supported by experts in getting final approval on Rutherford and Oakville Appellations by the Bureau of Alcohol, Tobacco and Firearms, Page 33). The applicant and their CEQA review have not taken this important stream into account when considering a Negative Declaration. The 6' culvert is undersized and needs to be replaced by a licensed engineer. Flooding in January and February created a near disaster when a neighbor fell into the floodwaters. I inspected the culvert Sunday. As it stands now, almost half of the culvert is filled with gravel and sediment further reducing the volume it can handle. The applicant acknowledged this problem in a January 6 email to me when he wrote, "**The culvert backs up due to issues with Bale Slough, which one cannot address without Government Involvement**". This statement and email is highlighted in your folder.
2. **Water** - Applicant has constructed a berm and undersized a drain that impedes southeast water flow from the Johnson – Engelskirger, Campbell, Hornberger, and Garvey vineyards. The applicants' proposed winery pad will be in a flood zone and precise measurements regarding pad and road will be critical. An engineered plan no matter how well it's executed will cause a more serious flooding condition in an already flooded section of this narrow road. Three acres of Hornberger and Garvey vineyards were under water during recent storms and this could easily double with an elevated winery pad and road. Spring flooding could seriously damage our vines. I will need to be compensated for vines I lose in this part of my vineyard. To whom do you recommend I send my bill?

3. **Traffic.** The request for an exception to the County's Road and Street Standards (RSS) to allow widths of less than 22-feet is not just 630 ' but 3,168 ' of private road. I wanted to make this point clearer. Six Hundred and Thirty feet (630') is 10' wide. (A typical F150 pick-up measures almost 7' in width). There is only one turnout on this leg of the road.

Additional turnouts need to be installed on this entire private road to prevent traffic congestion and accidents.

4. **Health and Safety** has to be a concern for all of us but most importantly the Planning Commission. The request for an exception to the County's Street Standards hasn't been looked at closely. Fire Trucks and Medical Support Vehicles will find this narrow road nearly impassable with oncoming traffic. Safety of homeowners is not a negotiable item.
5. The Applicant sent out a **New Project Courtesy Notice** on July 6, 2015. Julie and I received a letter from the applicant and Donna Oldford, Winery consultant, which was mailed from 737 Olive Way, #3901 Seattle, Washington. The signed letter stated the following:
 - a. The winery will crush only **"estate grown grapes"**
 - b. The existing vineyards **on - site** will remain
 - c. Almost half of the 6,964-square foot structure will be designed as an **underground** cellar for barrel aging
 - d. A stone parapet will enclose the mechanical equipment area
 - e. A total of **two full time employees and two part time employees** will be needed for crush
 - f. There would be **No water tanks**
 - g. The hours of operation was **7 days a week - 6am - 6pm**
 - h. There wasn't a word mentioned on **Hold and Haul** nor any word mentioned on mitigating **noise and lights**
 - i. The letter further stated that with only estate grown grapes, and no tours and tastings or marketing events the Applicant will give **"neighbors a level of reassurance that this small winery will be compatible with residences and other nearby wineries on South Whitehall Lane and Whitehall Lane."** Mr. Cahill and Ms. Oldford summarized the two-page letter by saying that they are both committed to the new residence and winery being a **"good neighbor on South Whitehall Lane"**.
6. If the Winery is approved against the wishes of SWIA members then Mr. Cahill's **"good neighbor"** reference should be adopted as it was expressed in the New Project Courtesy Notice sent to us on July 8, 2015. Perhaps the one exception being the 7-day week, 6am - 6pm. Why would this facility need to be opened 84 hours per week?

7. There was a rumor among neighbors that a **Heliport** was being considered for the property. Obviously, there isn't a neighbor in SWIA or other parts of Whitehall Lane that would agree to this.....nor should the Commissioners.
8. I don't want the Commissioners to think we haven't been good neighbors. I met with Mr. Cahill and Mark Hornberger and I met with Donna Oldford to discuss his project. Also, Julie and I have granted him an Easement he needed from Pacific Gas and Electric Company.

Best Regards,

Patrick J. Garvey
President
SWIA

Julie Garvey
1445 South Whitehall Lane
St. Helena, CA 94574

Let me begin by thanking those of you who took the time to visit the site with us and for meeting with us.

I want to stress that this is not a group of NIMBY's who are trying to keep someone out of the neighborhood. Pat and I, in fact, signed a document some years ago to allow PG&E to have an easement on our property for the benefit of the Cahill's.

We are a small rural neighborhood that is being overwhelmed by a project that does not adequately address its impact on the safety and wellbeing of near-by residents. This is the case of a project that is already adversely affecting the neighborhood in several ways, including flooding, increased traffic on an undersized road, draw down from the aquifer, and lights that illuminate the 2 uninhabited houses as if this were San Francisco's City Hall instead of an agricultural preserve.

This newest request for a winery might just be the straw that breaks the camel's back.

Mr. Cahill bought land that others overlooked because of its reputation as wetlands. This property historically functioned as an exquisite natural flood project. In periods of heavy rains, it became a lake, an important fly zone for geese and other birds...but most importantly it captured overflow from the local creeks and tributaries of the Bale Slough, saving properties north and south, east and west from damaging flooding.

The Cahill's put in an elaborate drain system and brought countless truckloads of dirt to raise their structures above the flood zone creating a functional boundary that secured their safety but has threatened ours. Water is being channeled into the slough that depended on this very property as an overflow. In addition, water that backs up on their property now heads toward an undersized and under engineered existing culvert. The water has to go somewhere...and we are finding out where the water is going....

Even last year, a drought year, our vineyard received the unwelcome and unwanted gift of the overflow from the Cahill property.

This year, the water spilled across the road into our vineyard frequently. This is not just an inconvenience; it is a safety hazard. It is also a threat to our livelihood. Pat and I have grown cabernet grapes that are of the highest quality on our property since 1989 and have never experienced flooding as we are now.

You cannot dump tremendous amounts of water into a culvert that was barely adequate prior to this project and expect it to be able to handle the increased flow – and, yet that is exactly what Mr. Cahill did and that is what the county has approved.

In anticipation of a large storm in January of this year, Mr. Cahill sent us a letter describing his drainage plan and the great pains that he has taken to mitigate the water issues. My eyes caught his comments regarding the Hornberger Y: “The primary means of egress is under the road and into the culvert. **The culvert backs up due to issues with Bale slough, which one cannot address without government involvement.**”

These are key words. Further, Mr. Cahill described how he had taken no shortcuts. The bottom line is that his system is not working because his property was the safety valve in a larger hydrology system. Let’s face it; some land is just not appropriate for development. We citizens of Napa County, of all people, should understand this. We have just applauded the Napa Flood project that took millions of dollars to build. But let’s be clear, this was a remedy for years of bad planning policy that allowed construction to pinch the Napa River and tried to confine it. The Cahill property was our flood plan....now, it is our problem.

We are at a point where one has to consider the whole of the slough not just the Cahill property. This is a project that requires a larger lens and government involvement.

A winery structure, the parking lot, another driveway, a tank pad will further displace water. How will the applicant mitigate this increased flow? I see no adequate mitigations. The **current** mitigations that the property owner is operating under **are already inadequate**. The county needs to take great care here – expanded use of the property will have dire results. The county has a responsibility to not only consider the applicant but also the impact that that applicant has on the surrounding neighbors. So far, things are not working very well.

Patrick Cahill and Donna Oldford expressed in their letter to Pat and me in 2015 that they wanted to be good neighbors and I suspect they think they have been. They have paved the short section of the road that leads to their property “without request for financial assistance, yet” according to Mr. Cahill

Neighbors, however, have to live in the neighborhood to appreciate their affect on the area and how they can be a constructive presence. Mr. and Mrs. Cahill live in Seattle. Perhaps they don’t appreciate the fragile beauty of the night sky and so they are oblivious to the affect that their security lights and now, flood lights that often shine from dusk to dawn on empty buildings, are to their neighbors.

Let’s remember, this is a SPEC house. It has already been advertised in the Wall Street Journal with an asking price of \$38M WITHOUT WINERY. This makes your decision even more critical and the mitigations more vital. This is a transaction in

which Mr. Cahill is asking for more than he needs. For example, the building request is oversized for the quantity of grapes that this property can produce. In their letter in 2015, Cahill and Oldford assured us that the wines would come only from grapes grown on the property to minimize traffic issues. However the actual application does not state this.

My greatest hope is that you would deny this permit until the property has been sold so that the individual who will actually operate the winery can apply for a permit. I also hope that any future considerations of a winery would include a larger impact study that includes a plan for the entirety of the Bale Slough.

Thank you for your time and consideration.

Respectfully,

Julie Garvey

Winery Application Request
1561 South Whitehall Lane - WHL Winery

10 February, 2017

Dear Mr. Trippi and Commissioners,

We are opposed to the application permit request for a new winery at 1561 South Whitehall Lane for the following reasons:

1. We live directly above the proposed winery site. The noise factor coming up through the canyon below us would be troublesome. We already get a fair amount of noise from Tres Sobores winery work.
2. Our 5 home community shares a well that is directly across from the WHL proposed winery site. We are concerned about the impact of water usage on our existing well. While the water table may be higher now because of the rainy season we have had, it would and could still affect the height of the water table, as it has over the last 4 years.
3. It's obvious that the road to be used is not wide enough to handle the additional traffic that a project like this would cause. This section of road, at this time, is totally inadequate for even the current traffic flow, let alone any further development such as the addition of a new winery.
4. The impact on the road that we "T" off of would be greater than the road could handle. This is a private road that is maintained by our little community, not the county. The additional expense for upkeep would impact all of us.
5. While we are not impacted as heavily as our neighbors along that section of road, we do understand the erosion issues that will impact them and we support their opposition and concerns for these erosion issues.

Respectfully,

Alan & Kathryn Fowler
1449 South Whitehall Lane
Saint Helena, CA 94574

February 8th, 2017

To: Napa County Planning Commissioners
Sean Trippi-Project Planner, Napa County

Re: Winery Application Request at 1561 So. Whitehall Lane-WHL Winery

Dear Planning Commissioners and Mr Trippi,

I am writing in response to a public notice received regarding the WHL Winery request. We live at 1480 So Whitehall Lane which as you know is a private drive. My wife and I have 2 children aged 10 and 13.

We OPPOSE the applicants request to put in a winery at 1561 So Whitehall Lane for the following reasons:

1. **TRAFFIC AND CHILD/PUBLIC SAFETY**-The most obvious is our 2 children enjoy walking their dogs and riding their bicycles up and down So Whitehall Lane. With the addition of 20-30 more vehicles per day including large wine related vehicles on a road that is 10-15 ft wide it creates a very dangerous situation. This is a very active community that enjoys morning and evening walks and will be exposed to unneeded danger.
2. **ENVIRONMENTAL IMPACT**- With a winery comes additional equipment related noise, light, equipment related pollution and the spread of additional greenhouse gases. We have not seen any impact studies to date.
3. **EROSION CONTROL**-With the recent flooding this is a huge issue. The current culvert size and drain off is insufficient to accommodate a large scale project such as this and will only exacerbate the problem.
4. **WATER RESOURCE MANAGEMENT**-As we work through this extended drought it seems to be poor stewardship to further deplete a diminishing resource.
5. **Blue Line Stream Preservation**-This needs to be further evaluated to look at the winery property and potential blue line stream disruption.

We hope you will weigh all aspects of this winery request and agree with the entire HOA that OPPOSES the requested winery permit.

Sincerely,

Matt and Kami Smith

February 13, 2017

To: Napa County Planning Commissioners: Michael Basayne, Anne Cottrell,
TerryScott, Jeri Gill, Joelle Gallagher

Project Planner: Sean Trippi

Re: Winery Application Request at 1561 So. Whitehall Lane – WHL Winery

Dear Planning Commissioners and Mr. Trippi,


I am writing in OPPOSITION to the request to build a winery at 1561 S. Whitehall Lane. I reside due west of the property in question, at 1621 South Whitehall Lane. The only means of reaching Hwy 29 is the community road that passes in front of the property at 1561 S. Whitehall. My concerns include Health and Safety, flooding and the altered nature of the Bale Slough drainage, width and nature of the roadway, wastewater treatment or removal, and fresh water resources. In the best case scenario, all of these issues would still be problematic for reasons that will no doubt be expressed and explained by those speaking for the opposition at the upcoming hearing.

Please also consider the possibility that allowing a winery project at this site only expands the range of unintended and significant consequences already in play. Previously the property had been a horse boarding facility and home to a caretaker. This use was altogether reasonable given that the south half of the property would become a natural ponding lagoon within the Bale Slough at least once or twice during an average winter. The horse pasture became a bit smaller after a few days of steady rain, but with no real impact on the road, neighboring properties, or the health and safety of those traveling on and maintaining the road, drainage culverts, etc. After purchase, massive amounts of soil were imported onto the property. Building of a guest house began, and later an article appeared in the Wall Street Journal, advertising the project as a spec residential project. As the main residence neared completion, it was becoming clear that the elevation added by way of soil importation had not fully protected the property from flooding, and so high berms were added to further deflect water to neighboring properties.

From the beginning, best attempts to turn what was clearly not a premier property for grape growing into a sizable payday when sold, has left neighbors wondering when reason might prevail. If this attempt at making lemonade has left neighbors sour, the owner/developer has only himself to blame. I ask that you take the time to fully understand the impact that this project will have on neighbors, whose intention it is to live here as full time residents, and like so many others, whose respect for our valley has been at the crux of what provides true value for so many.

Thank you,

Jon Engelskirger

From: **Pat Cahill** pcahill@calfox.com 
Subject: **Re: Possible Flooding**
Date: **January 6, 2017 at 6:25 PM**
To: **Patrick Garvey** pgarvey45@gmail.com, **TKC Associates** tkcassociates@gmail.com, **Julie Johnson** jaj@tressabores.com, **Mark Hornberger** hornberger@hwiarchitects.com
Cc: **jkgarv** jkgarv@gmail.com, **cyclewine** cyclewine@cox.net, **napahoney** napahoney@yahoo.com, **Jeff Woods** jeff@blackmountaindev.com, **Matt Aldridge** matta@blackmountaindev.com, **Pat Cahill** pcahill@calfox.com

Pat,

We are aware of the heavy rains expected this coming weekend and week, as well as those from prior weeks. This Wednesday I asked Jeff Woods and Matt Aldridge, copied here and who work on my property, to have a game plan for this storm. They will visit my property daily and they stand ready with an additional laborer to remove any large debris that flows downstream that might create additional burdens for the immediate area (as happens in these types of storms).

Given your statements below, I remind you of the following, which we have discussed previously:

- With respect to Hornberger's "Y":
 - The primary means of egress is under the road and into the culvert. The culvert backs up due to issues with Bale slough, which one cannot address without government involvement. Should this back up, preventing water from Hornberger's catch basin from being delivered into the culvert, my drainage plan is designed to do the following:
 - Overflow from Hornberger's sump area goes into the sump pump on my property, and is pumped across my property and into a detention area at the far end of my property;
 - Should this means fail or be overwhelmed, water floods across my property's vineyard and into other low-lying areas on my property in accordance with our grading plan;
 - The 3 berms you mentioned are designed to direct water down gradient and towards the "Y", where the methods above come into play;
 - In the past few years work has been done by others, adjacent and up gradient to me, that has altered the flow of water without taking my needs into account. I am the down gradient neighbor, and I have a right to reasonably protect my property from damage. The standard of care is higher for up gradient neighbors. Nonetheless, I designed a system (engineered, permitted and installed by high quality contractors) that takes both my property and those around me into account. As such, I spent extra money on design and construction to accommodate both needs, not just my own. The result is a belts-and-suspenders approach.

I do appreciate the maintenance work that I understand you have done with respect to debris, as I trust you appreciate the restoration of the road that was overseen by my contractor and paid for by me (without request for financial assistance, yet).

If you would like to talk to Jeff or Matt about ways to work together over the weekend to take care of any issues that arise with the storm, please let me know and I'll have them reach out to you.

Regards,

Patrick A. Cahill
CALFOX, INC.
737 Olive Way, #3901
Seattle, WA 98101
Direct: 206-732-6515
Cellular: 415-793-0544

1457 South Whitehall Lane
St. Helena, CA 94574
saludwi9406@yahoo.com
February 13, 2017

County of Napa
Planning Commission
1195 Third Street, Suite 210
Napa, CA 54559

Planning Commission:

My husband, John W. Thompson, and I have some concerns about the proposed winery on South Whitehall Lane. We also hope to draw your attention to the accumulative impact this project and the proposed changes to the conditional use permit at UVDS nearby.

As a former planning commissioner, I tried to adhere to the following premise whenever I reviewed a matter. That being: a property owner should know with reasonable certainty what may be done on the land when they purchase the property.

The Cahills had no such expectation. They come to you to ask for something out of the ordinary. This project will impact neighbors and the enjoyment of their homes. This is a residential community. The matters we ask you to consider are these:

1. The noise and lighting, especially during harvest, will change the neighborhood greatly. The rhythm of the neighborhood will change from light activity to that which may bring workers onto the property as early as 3 am and have them leaving at 10 pm. Lights and machinery will be operated during those periods, all involving increased light and noise. Much of that noise will reverberate to our uphill homes.
2. Traffic patterns and volume will change. These are narrow private roads with very limited shoulders, if at all. There are also dramatic curves at two points: one sharp left after the Whitehall split and another right hand curve as you approach the subject property. Additionally, there is nearly a blind intersection after crossing the bridge at the Whitehall split. This is a safety matter. I would also add that these roads are used frequently by pedestrians and these uses are not complimentary, given the existing road characteristics.
3. Who bears the cost of road wear and tear, given the additional use by heavier and more frequent travel?
4. While I know you only consider one matter at a time, the issue of the accumulative impact of the Cahill proposal and the UVDS proposal make great demands on our residential neighborhood. Both will undoubtedly impact our enjoyment as we know it today. It may also impact our property values. Many of us have the same concerns about UVDS' plans when it comes to traffic and safety. And while change is inevitable, is it reasonable for those of use in the neighborhood to shoulder so much change and risk at the same time? I don't think so.

Thank you for considering these concerns. If you have any questions or comments, please feel free to contact me at the email address above or on my mobile at 650 704-2768.

Sandi Thompson

To Whom It May Concern:

The current petition to convert a home in a residential neighborhood into a winery involves the most basic of questions: what are neighbors, property owners and those who share common private streets and right of ways to do when a home becomes a full-scale business?

All homeowners affected by the attempt to irreparably alter the streets, traffic, noise levels, sites and peaceful existence (and there are perhaps 100 or so such homes) are of course in opposition to this proposal. In fact, petitioner and his chosen representative (Who earns in enormous sums of money for seeking and obtaining these permits) would be hard pressed to find a single homeowner in the area who would promote this petition. Unfortunately, there is more at stake than just the right to enjoy ones home and property.

1. The noise attendant to the required use of pumps, generators, forklift, filters and other equipment reverberates uphill in all directions from this canyon floor setting.
2. Bright, long distance lighting, required for work conducted without sufficient daylight is visible for substantial distances.
3. Ingress and egress is available through only a Narrow Single lane Private Road which is in disrepair and far smaller than required by code; it cannot be traversed by gondolas, multi-sized trucks, etc. in addition to 20 or 30 vehicles necessary for the owners and their labor force.
4. Flooding affects this road as well as the creek and downstream lands, homes and vineyards. The risk is substantial that the proposed venture will worsen this condition.
5. The traffic increase will certainly affect all users of this private road while trying to get to and from their homes and property.

There are no mitigating alternatives to these problems. I urge you in the strongest terms possible, for the sake of our county, St. Helena, and the many people who will be harmed by this petition, to deny it.

Respectfully submitted by: Pam and Bruce Krell, 1455 S. Whitehall Lane
Gary C. Otto 1484 S. Whitehall Lane

February 7, 2017

James R & Kaye F Doyle
1443 S. Whitehall Lane
Saint Helena. CA 94574-9787
APN: 027 440 024 000

To:

Sean Trippi, Project Manager
Napa County Planning,
Building & Environmental Services Department,
1195 Third Street, Suite 210
Napa, CA 94559

Regarding: WHL WINERY- USE PERMIT (#P15-00215-UP) & ROAD AND STREET STANDARDS EXCEPTION REQUEST.

The following comments are intended to represent opposition to approval of the request cited above.

Concerns regarding this request and opposition are based on the following:

PUBLIC SAFETY

The width of the access roadway is significantly less than 22 feet and is essentially a one-way road that serves multiple family homes.

This roadway serves the needs of these properties regarding vehicles dealing with public safety, fire protection, and medical needs as related to ambulance access.

The proposed use of this roadway would significantly impact the access of such emergency vehicles and personnel due to the size of the roadway and size and nature of the winery vehicles/equipment and frequency of use of the access roadway by winery vehicles.

WATER USAGE/IMPACT ON EXISTING WATER NEEDS

An existing well on the Garvey property serves the needs of several homes on the uphill portion of Whitehall Lane and these properties have noted diminished water supplies during the recent drought. The addition of a winery to this underground water source during less than ideal years of rainfall could seriously impact the needs of these uphill homes as to daily use and fire protection.

TRAFFIC IMPACT

It is highly likely that the presence of a winery per this request under review would significantly increase the traffic impact on the roadway and would seriously impact access of those that routinely use the roadway and even more significantly those emergency vehicles related to public safety.

INGRESS, EGRESS

The narrow width of this roadway, practically speaking, makes it a one way roadway. This is especially true as related to the size of vehicles ordinarily associated with the functions of a winery. The presence of a winery would seriously and adversely effect ingress-egress.

NOISE & LIGHTS

Noise from a winery would increase the noise level in this ordinarily quiet area and it is recognized that the noise during certain times of the year would be 24/7 due to the nature of a winery operation. Associated lights would also be an unacceptable addition to this neighborhood.

We personally have been impacted by noise and lights during the construction of the existing structures on the property related to this request. I sincerely hope that the current request will not be granted since it is our belief that the addition of a winery will have an even greater adverse effect on the entire neighborhood

Respectfully,

James R. Doyle

Kaye F. Doyle

SWLD, LLC
737 Olive Way, # 3901
Seattle, WA 98101

July 8, 2015

Mr. & Mrs. Pat Garvey
1455 S. Whitehall Ln.
St. Helena, CA 94574

Dear Mr. & Mrs. Garvey:

As part of the neighborhood outreach effort designed to inform all neighbors of the application for a small winery at 1561 S. Whitehall Lane, we are writing this letter to you. The "We" in this letter is Pat Cahill, the owner, and Donna Oldford, the project's winery consultant. As the person with all of the Napa County application materials for this project, and as the person most able to organize any meetings that may be desired by neighbors, Donna has elected to be a signatory to this letter. With 25 years of experience with winery permits in Napa County, Donna is most able to answer questions about the County's process relative to our project. We recently filed our use permit application with the County and anticipate having a hearing before the Planning Commission sometime in the next four to eight months, by the County's estimate. So, we invite you to contact us with any questions you might have; alternatively, we would be very happy to meet with you personally to present the project being proposed and answer any questions you might have. Our contact information appears below.

Attached is a reduced-scale copy of our site plan for the property, as is a copy of the elevations for the proposed winery. The winery is proposed as a 10,000-gallon per year winery, with all of its wines coming from the grapes grown on the property. We are not proposing any tours and tastings or marketing events in association with the winery. We hope that 'no winery visitation' and 'all estate-grown grapes' characteristics give neighbors a level of reassurance that this small winery will be compatible with residences and other nearby wineries on South Whitehall Lane and Whitehall Lane. The existing vineyards on-site will remain.

The winery itself will be a 6,964-square foot structure with its design in keeping with the contemporary architecture of the residence. Almost half of this space has been designed as an underground cellar for barrel aging. Building materials will consist of glass, steel and a stucco façade with stone veneer. A stone parapet will enclose the winery's mechanical equipment area. The adjacent winery production area consists of a proposed 1,614-square foot outdoor covered crush pad. We envision a total of two full-time employees (one of whom may reside on-site) and two part-time employees for crush.

We are committed to both the new residence and the winery being a good neighbor on South Whitehall Lane. We look forward to an opportunity to meet the neighbors and to answer any questions that you may have about the winery use permit application.

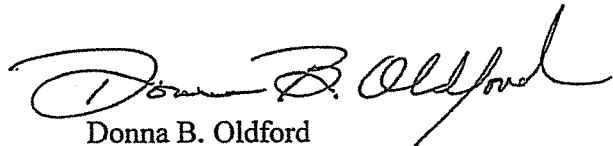
Pat Cahill's phone number is (415) 793-0544.

Donna Oldford's phone number at Plans4Wine is (707) 963-5832.

Sincerely,



Patrick Cahill
Owner



Donna B. Oldford
Winery Consultant, Plans4Wine

Enclosures: Site plan and winery elevations









Clerici, Brian

Subject: FW: NC Planning Commission Feb 15 2017 - item 8B - South Whitehall Lane

From: Geoff Ellsworth

Sent: Wednesday, February 15, 2017 7:54:01 AM

To: Trippi, Sean; Morrison, David; McDowell, John; Jeri Gill; Terry Scott; Anne Cottrell; Mike Basayne

Subject: NC Planning Commission Feb 15 2017 - item 8B - South Whitehall Lane

To all concerned,

I am submitting these comments as a private citizen.

I request that no further winery/wine tourism approvals or major modifications are made until a proper compliance/enforcement program is in place that measures visitation, production, water use, and monitors stipulations from the Winery Definition Ordinance that food service be on a cost recovery basis only.

Though no tours, tastings or marketing events are being proposed in this application as we have seen in the past projects come in to be approved without visitation/marketing events only to return later and ask for visitation and marketing.

We must have a system in place that addresses this possibility and the possible impacts.

I also request that an EIR that includes cumulative impacts be done on all projects so that we understand impacts to our Napa County communities, infrastructure and environment, including traffic, water and greenhouse gasses.

Also I also believe we need an overall water equity program in place to protect all of our residents and businesses.

Also the continued use of exceptions and variances in winery approvals is concerning and should be addressed.

Planning Commission Mtg.

FEB 15 2017

Thank you

Geoff Ellsworth

St. Helena

Agenda Item # 8B

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Gallina, Charlene

From: Trippi, Sean
Sent: Tuesday, February 14, 2017 5:17 PM
To: 'tkscottco@aol.com'; 'JeriGillPC@outlook.com'; 'joellegPC@gmail.com'; 'anne.cottrell@lucene.com'; 'mikebasayne@gmail.com'
Cc: Morrison, David; Gallina, Charlene; Anderson, Laura; Frost, Melissa; Clerici, Brian
Subject: FW: WHL Winery / Hornberger Letter & Flood Images
Attachments: 170213 WHL Winery Letter.pdf; WHL Winery Flood Images.pdf

Attached is correspondence received since the packet was published.

Planning Commission Mtg.

BROWN ACT COMMUNICATION – PLEASE DO NOT REPLY TO ALL

FEB 14 2017

Agenda Item # BB

Sean Trippi
Napa County
Planning, Building & Environmental Services
(707) 299-1353; sean.trippi@countyofnapa.org

From: Mark Hornberger [<mailto:hornberger@hwiarchitects.com>]
Sent: Tuesday, February 14, 2017 4:29 PM
To: Trippi, Sean
Cc: hornberger@hwiarchitects.com
Subject: RE: WHL Winery / Hornberger Letter & Flood Images

Sean,

Thanks for forwarding the agenda for tomorrow's hearing. Attached is a letter and set of images that we would appreciate you circulating to the Commissioners prior to the meeting. We will bring hard copies for distribution at the meeting and would also appreciate being able to show the images on the computer monitors in the hearing room during the time allotted for public presentation.

Mark

Mark Hornberger, FAIA

Hornberger + Worstell

170 Maiden Lane
San Francisco, CA 94108
p.415.391.1080
f.415.986.6387
www.hornbergerworstell.com

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February 13, 2017

County of Napa
Planning Commission
c/o Planning and Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559

Subject: Environmental Impacts Analysis
WHL Winery, Use Permit (P-15-00215-UP)
1561 S. Whitehall Ln.
St. Helena, California

Dear Commissioners:

As owners of the adjacent contiguous Hornberger Vineyards property located at 1571 South Whitehall Lane (Hornberger), a family vineyard we have farmed for over 38 years, we write to request that you deny the Negative Declaration as presented by staff and incorporate requirements for additional specific mitigations needed to address the real and observable impacts of the existing (currently under construction) and proposed 1561 S. Whitehall Ln. WHL Winery (WHL) development project.

To aid in the Commission's review of existing and historic conditions and observable flood impacts and public safety hazards, we have attached a series of photographs with the following reference numbers and captions.

1. Aerial View of Vicinity
2. Bale Slough Looking North
3. Bale Slough Looking South
4. Garvey Ditch Looking East Toward Bale Slough
5. Flooding of S. Whitehall Ln.
6. Historic Aerial View of WHL Winery Site
7. 18" Culvert at NW Corner of WHL/NE Corner Hornberger
8. Historic Open Drainage Ditch Along S. Whitehall at NW Corner of WHL Site
9. Surface Water Moving East Across WHL Site
10. Surface Water Moving Southeast Across WHL Site
11. Common Property Line at WHL/Hornberger
12. Culvert Extension at Corner of WHL Site
13. Culvert Extension & 8" Drain Inlet at NW Corner of Whitehall Site
14. Earth Dam at NW Corner of WHL Site
15. Culvert Pumping Bale Slough Storm Water onto NE Corner of Hornberger

16. Public Safety Hazard – Flooding of S. Whitehall Ln.
17. Flood Damage to S. Whitehall Ln., a Hornberger Property
18. Storm Flooding of Vineyard
19. Storm Flooding of Vineyard, NE Corner of Hornberger
20. Surface Flow of Stormwater Across WHL/Hornberger Property Line

BACKGROUND AND ENVIRONMENTAL SETTING:

The WHL property, a relatively flat parcel adjoining Bale Slough used for many decades as a horse farm, is located in the floodplain zone and subject to periodic wintertime flooding. Historically, large volumes of storm runoff originating in the hills has moved in open ditches across the adjoining Hornberger and Garvey parcels and then flowed freely on the surface across the WHL site in a southeasterly direction toward Bale Slough and the Napa River beyond. [See attached photos 1, 6, 8, 9, and 10] In an effort to minimize flooding in the area, a group of neighbors have worked cooperatively over the years to maintain the open drainage ditches and to remove accumulated debris and sediment from the culverts and slough surrounding the WHL, Garvey and Hornberger Properties.

However, during the first phase of the speculative development of the WHL site, changes were made to the elevation of S. Whitehall Lane and to the routing of the open ditch which carried surface flow across the site which have negatively impacted the free flow of stormwater across adjacent properties. [See photos 7, 12, 13, 14, 15 and 20.]

SPECIFIC IMPACTS:

Sedimentation, vegetative growth and debris accumulation in Bale Slough to the east of the WHL Winery parcel is restricting free passage causing Bale Creek storm flows to flood properties to the north and west of the Bale Creek culvert (which passes under S. Whitehall Lane). [See photos 1, 2, 3, 4 & 5.] In order to relieve this periodic flooding, a long-term sediment, vegetation and debris removal plan needs to be established and approved by the appropriate authorities having jurisdiction and implemented by the WHL project sponsor.

Further, the unauthorized relocation of the historic termination point of an 18" concrete drainage culvert crossing under S. Whitehall Lane at the northwest corner of the WHL parcel [See photo 7, 12 & 13.], as well as grading operations which filled in the historically open drainage ditch along the northwest WHL property line [See photos 8, 9, 10 & 12], has changed surface flow patterns and caused periodic flooding of both the Garvey property to the north and the Hornberger property to the west. The WHL project sponsors' attempt to reverse the impact of these grading changes (by installing an 8" subsurface drain line) has proved to be inadequate to handle high volume surface flows caused by recurring severe winter storms. [See photos 13, 15, 18 & 19.] The proposed WHL Winery pad and access road will stretch nearly 500 feet to the south from the northeast corner of the Hornberger Vineyard property where winter flooding is currently the most severe. [See photos

11, 15, 18 & 19.] Proposed WHL Winery plans call for access road and pad elevations to be set at +168 msl and +169 msl, respectively, which will effectively become a dam, further restricting the ability of surface flood water to make its way from the nearby hills across the Hornberger property onward southeast to Bale Slough. [See photos 14 & 16]

PUBLIC SAFETY HAZARD

The proposed winery project, if built as proposed, will further negatively impact surface stormwater flows causing more severe flood damage to the adjacent agricultural land and narrow access lane. The impact of this project poses a public safety hazard as accumulating stormwater runoff flowing in large volumes across S. Whitehall Lane pavement will erode the driving surface of the narrow access lane, create hazardous driving conditions and, during severe storms, cut off of emergency vehicle access to residential properties to the west of the WHL site. [See photos 5, 16 & 17.]

FLAWED IMPACT ANALYSIS:

We find the following staff analysis section of the impact analysis to be incorrect and respectfully request that the findings be modified/overtuned:

1X Hydrology and Water Quality. Would the Project:

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Staff Analysis:

- c-e) The project proposal will not substantially alter any drainage patterns on site or cause an increase in erosion on or off site...
- g-i) According to the Napa County Environmental Resource Maps (based on the following layer – Flood Zones)...a portion of the project site is located within a flood hazard area.

The winery development would not impede or redirect flood flows...or expose structures or people to flooding

REQUESTED FLOOD MITIGATION MEASURES:

We respectfully request that the Planning Commission either deny the project sponsors' request for a Negative Declaration or require the project to incorporate the following flood mitigation measures:

1. The project sponsor shall be required to prepare a detailed engineering hydrology study of the section of Bale Slough running from the northeast to southeast corner of its property, including sedimentation, vegetative growth, and the effects of Bale Creek hydrology and storm flows on the capacity and function of adjoining drainage ditches to the west, north and south side of S. Whitehall which direct stormwater flow towards and into Bale Slough. The WHL Winery project sponsor will establish and fund an implementation plan designed to relieve the flooding of Bale Slough and to relieve flooding of the surrounding Garvey and Hornberger properties to the north and west of the WHL site caused by the project sponsor's reconfiguration of S. Whitehall Ln. and nearby drainage ditches.
2. The WHL project sponsor shall re-engineer the proposed Winery access driveway, winery pad and vineyard maintenance pad to allow surface stormwater, which accumulates at the northeast corner of Hornberger Vineyard property, to flow on the surface freely to the southeast across the WSL property line. To facilitate this flow the WHL project sponsor will construct a Winery access driveway level with existing grade at the adjoining Hornberger property, incorporating within 50ft. of the south edge of S. Whitehall Lane an engineered swale set at elevation +167 msl capable of allowing anticipated storm surface flood waters (originating at the northeast corner of the Hornberger Vineyard property) to cross the WHL property line and then flow freely on the surface in a southeasterly direction across the WHL property to Bale Slough.

We appreciate your review of and affirmative action on our request.

Very truly yours,



Mark Hornberger, Member
for
Hornberger Vineyard LLC

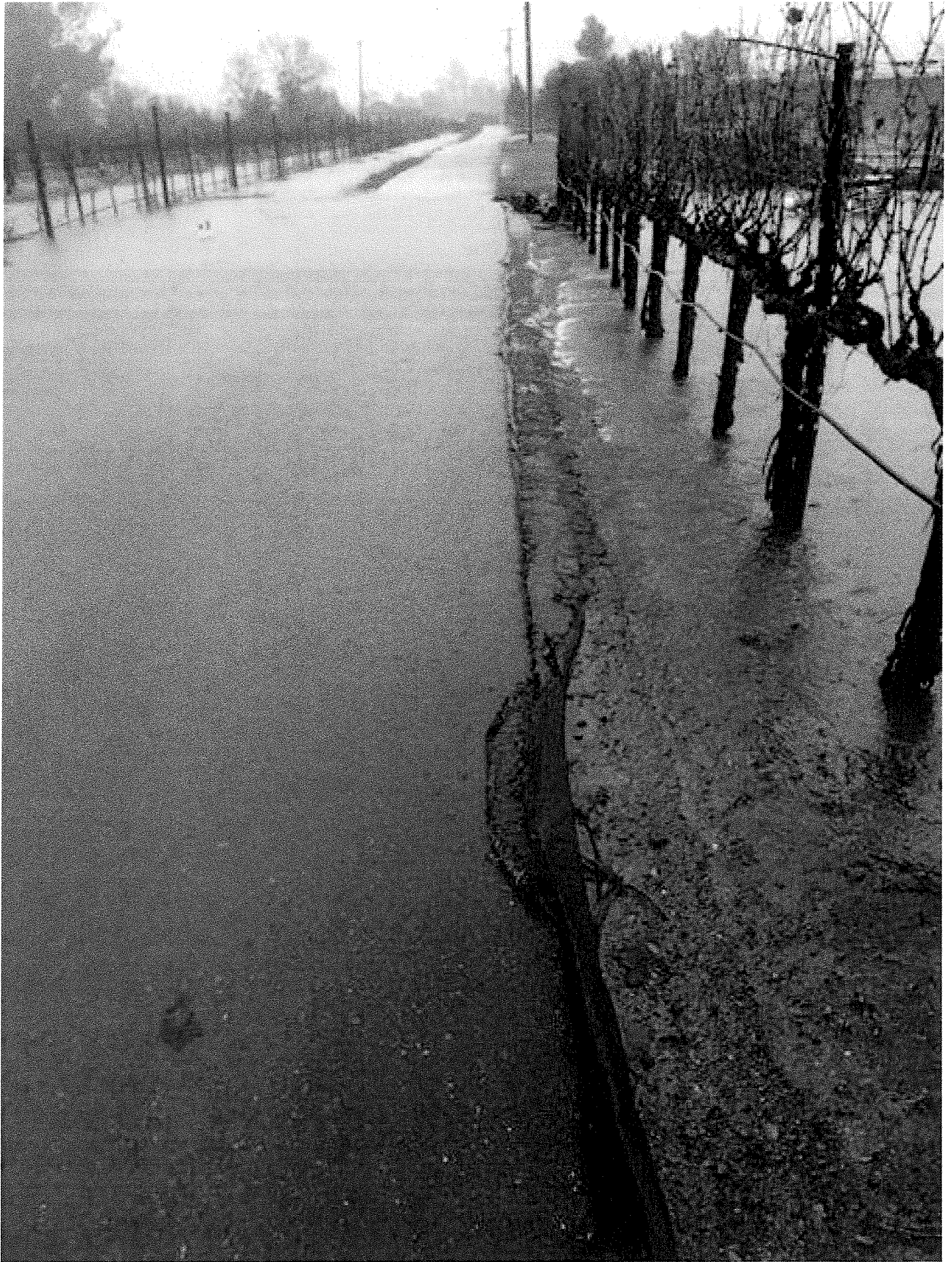
Aerial View of Vicinity











Historic Aerial View of WHL Winery Site



























































February 15, 2017

- | | | |
|--------------------------------|-----------------------------------|----------|
| Estuarine and Marine Deepwater | Freshwater Forested/Shrub Wetland | Other |
| Estuarine and Marine Wetland | Freshwater Pond | Riverine |
| Freshwater Emergent Wetland | Lake | |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Planning Commission Mtg.

FEB 15 2017

Agenda Item # 3B