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Public Comments

Caldwell Vineyards Winery P17-00074
Planning Commission Hearing Date January 17, 2018

May 4, 2017

To: Ms. Wyntress Balcher
Planning, Building & Environmental Services
1195 Third Street, Suite 210
Napa CA, 945559

From: Joseph D Sabella MD
215 Kreuzer Lane
Napa, CA, 94559

Subject: P17-00074; Caldwell Vineyards Winery Modification
270 Kreuzer Lane, Napa, CA; APN 045-310-056

Dear Ms. Balcher:

As you requested in our phone conversation today, I send this letter in follow up to my receipt of your April 27, 2017 letter, regarding the proposal for the expansion of the Caldwell Winery and changes in its operation. You informed me that this kind of letter is normally sent to persons who reside within 1,000 ft. of the proposed project, which restricted its distribution to those of us who live on the private part of the lane. I suggested that the residents who live on the level, public part would also be interested in your letter, and you agreed to send it to them as well. This would include all the addresses at the western start of Kreuzer at its intersection with Fourth Avenue, and stretch to its junction with the start of the private part of the lane, delineated by the access gate at public Kreuzer's eastern end.

I repeat my concerns herein, regarding the impact of Caldwell's proposal, not only on those of us who reside on the private segment of Kreuzer, but also to those who reside on the public, level part.

First, the private road. When Mr. Caldwell proposed his new winery years ago, we neighbors met amicably with him. We had no wish to deny him the establishment and operation of his winery, but we were concerned about the changes that could come about, which could disturb the peaceful environment that motivated us to live here.

Mr. Caldwell discussed with us his plan of operation, which was encoded in his application: 1) He assured us that every attempt would be made to minimize traffic, in order to avoid, to the degree possible, any serious degradation of our peaceful environment; 2) wine tasting would be by appointment only; 3) the capacity of the winery would not be overly high, 25,000 cases; 4) noise would be kept to a minimum; 5) that only the normal activities of farming, and harvesting would occur; 6) that there would be no unusual events or other disturbances such as weddings, parties, and so on.

After Mr. Caldwell posted his required declaration, he then posted additional declarations to establish other wineries of different names on the property. We asked him what these additional posting meant. He said it was being done so these additional "wineries" could label their wines: "Estate Bottled." I thought this

was nothing more than a way to get around the regulation concerning the use of the “Estate Bottled” appellation. However, we did not object, because we did not anticipate any unusual problems from this activity for three “wineries.”

However, Mr. Caldwell’s new proposals include: 1) an increase in capacity from 25,000 to 35,000 cases; 2) expansion of the cave footage of 3366 sq. ft. for barrel storage; 3) 43 sq. ft. for a hallway; 4) 576 sq. ft. for an additional tasting room and for wine storage, the tasting room able to accommodate **up to 60 persons per day for wine tasting. There is no mention of the present requirement for appointments;** 5) 492 sq. ft. for. a kitchen and storage area; 6) allow on site wine consumption (I assume other than wine tasting); 7) “limited food service” (limited not defined, but sounds to me like parties); 8) an increased] marketing plan to allow 19 events per year (events not defined);10) an increase in employees from three to twelve (work roles not defined); and 11) removal of any custom crush limitations. This last concerns me, because I now realize that the custom crushing has led to increased, noisy truck traffic involved in delivering barrels, bottles, labels and boxes, etc., hauling away bottled wine, and the comings and goings of the additional employees of these other “wineries.”

Moreover, many vehicles speed to and from the winery, passing my and two other blind driveways. I personally have had a number of close calls with speeding cars and trucks when carefully exiting my driveway.

The new proposal greatly exceeds the original, existing one, and I object to most of its content. Moreover, I suspect many others will also object.

Now I turn to the effects of this expansion on those who reside on the public part of Kreuzer Lane. I described to you several concerns: 1) the speed limit is 40 mph, which equals nearly 60 ft. per second, equivalent to about four car lengths for each, rapidly pronounced “1 (2, etc.) Mississippi.” Currently most cars and trucks drive at or appreciably above this speed. There are children walking or riding bikes, people walking dogs, pets crossing the road, and other, normal neighborhood activities. I believe the residents who have already expressed concerns about the traffic danger will have even stronger objections to the increased traffic, which will result from the current winery expansion proposal. This is my reason for asking you to include the announcement of the winery expansion to this group of Kreuzer Lane residents.

I am sure the residents on both the public and private parts of Kreuzer Lane look forward to the public hearings on the proposal to expand and change the operation of the Caldwell Winery.

In my phone conversation with you, I pointed out that the email address at the end of your letter: wyntress.balcher@countyofnapa.org did not work. I again tried later, and happily, I was able to send you two brief, test emails. Please ignore my “problem.”

Thank you very much for your kind assistance.

Sincerely yours,

From: Bruce Wilson
To: Balcher, Wyntress
Subject: Caldwell Winery Expansion
Date: Tuesday, May 30, 2017 2:27:25 PM

Dear Ms.Balcher,

I am writing this email because I am very disturbed that the Caldwell winery is planning a **major expansion** of the current winery.

My wife and I attended a neighborhood meeting a couple of weeks ago regarding the expansion and all those that attended opposed the project.

We live at 159 Kreuzer lane. We have lived on Kreuzer for over 29 years. In that time Kreuzer has gone from a very quiet country road to a fairly busy thoroughfare. Most or all of the increased traffic is a result of the Caldwell Winery. This country road can't handle any more traffic. There are small children and people with pets that use the road and it has become gradually more dangerous every year. Cars and trucks go up and down the road at 40 to 50 MPH and our road can't handle that speed.

We have seen the winery expansion plans and frankly we oppose all of it. They are asking for way too much.

There are many more issues concerning the project that we discussed (noise, water, events, production capacity etc.) All these things and more need to be addressed.

Bruce Wilson
Kathy Wilson

MENZEL & D'ALUISIO
199 KREUZER LANE
NAPA, CALIFORNIA 94559

2017_07_12

To: Ms. Wyntress Balcher
Planning, Building & Environmental Services
1195 Third St, Suite 210
Napa, CA 94559

From: Peter Menzel and Faith D'Aluisio
199 Kreuzer Lane,
Napa, CA 94559
APN 045-310-053

Subject: P17-00074; Caldwell Vineyards Winery Modification
270 Kreuzer Lane, Napa, CA APN 045-310-056

There are several private homeowners on the east side of the shared gate at the east end of public Kreuzer Lane—we are one of them. We have lived on our property since 1986.

We are writing to express our concerns about the *Caldwell Winery Use Permit Major Modification* that nearby Caldwell Winery has requested. The long history of unkept promises by the owners, 24/7 noise, fast and abundant traffic, and unannounced visitors to our property looking for the winery has made living on our property over the last decade extremely difficult.

We are peaceful people in a residential neighborhood, certainly willing to meet halfway the needs and desires of our neighbors, but Mr. Caldwell and his assigns have shown themselves unwilling to act as honest brokers. Our concerns—and those, we understand, of our neighbors—through these many years since the beginning of Caldwell cave construction, and subsequent winery operation, have been met with placating promises from the owner—unresolved. We are certainly among the first to believe in and support the right to farm, but the Caldwell winery business has become a noisy sprawling industrial complex threatening to swallow the neighborhood whole.

As the closest residential neighbor with the longest shared property line with Caldwell Winery—over a half-mile—we are impacted greatly by the winery operation. The winery's extensive network of caves, tanks, pumps, and fans are about 800 feet from our home, in line of sight over the steep and deep Kreuse Canyon, through which flows seasonal Kreuse Creek. The topographic and geographic location of Caldwell Winery's extensive caves—dug into the steep cliff facing our house—act as a natural amplifier for winery equipment and abundant visitor noise. This can be heard in most parts of our house, even through our 2-foot-thick earthen walls and tile roof. Unfortunately it is especially bothersome in our bedroom, which faces the winery caves. It's almost farcical to look back now at the email exchange through the years as we attempted to find resolution with our neighboring property, always hopeful, but in the end always disappointed by the lack of action. In good faith we opted not to seek out legal or county help, unlike some of our neighbors, which in hindsight may have been short-sighted on our part. Even the smallest annoyances can turn into big ones over time—security gate phone calls to our residence at all hours (including midnight and 6 a.m.) from Caldwell guests, Caldwell guest house vacationers, and Caldwell workers when no one answers the phone at the winery to let them onto their property.

The Caldwell land facing our property in the early 90's, was relatively quiet—a farming operation with vineyards and later, a nursery. There are many such vineyards in our part of the valley and we and our neighbors know that overnight spraying, vineyard work, and occasional blocked roads are all part and parcel of living amongst Napa County vineyard land. After a one-lane road suddenly appeared carved into the cliff face of Caldwell land across from our property, it sat unused for years. We'd heard that he had wanted to commercialize the property with housing but was rebuffed by the county. We did not know then that this access road would become the pathway to a cave complex winery.

In the early 2000's, heavy equipment moved in and cave construction was noisy and disturbing over the next two years and beyond, regularly spilling over into the weekends. Huge amounts of cave tailings were dumped over the edge of the construction site creating an uncompacted plateau. How much washed into Kreuse Creek during the winter rains we don't know.

MENZEL & D'ALUISIO
199 KREUZER LANE
NAPA, CALIFORNIA 94559

Emailed promises by both Mr. Caldwell and his employees to remedy our concerns were ignored for many years. After major construction ended, the noise did not. The business of a winery is not a quiet one but need not be as loud as this one—especially one almost wholely within a cave. Unfortunately, Mr. Caldwell placed the glycol compressor fans and motors at the cliff's edge facing us and echoing across the canyon. Mr. Caldwell agreed that he too was bothered by the noise, and wrote that if we wanted to "give him $50,000," he would move the fans to a more soundproof area. The fan noise has subsided somewhat in recent years as small attempts were made to make it quieter, but its noise continues generally 24/7, in addition to the noise of the active pad, outdoor bottling, events, and tourism. We have noted that at times when large limousines show up, the fans/pumps, etc. are switched off—virtually the only moments since construction began that we are treated to silence.

Ultimately, it is not surprising that John Caldwell is a rule breaker as he is a self-avowed rule breaker. He touts the image of "smuggler," bragging on his own website that the French wine grape root stock he started with was illegally smuggled into the U.S. (see https://www.caldwellvineyard.com/Smuggling-Story).
In addition to promises unkept, they have begun posting new liquor license notifications at their cave door rather than at the bottom gate where they used to be posted. This seems disingenuous and sneaky.

Dealing with this neighbor has diminished our quality of life here in Napa County. Experiencing his rule-breaking and unkept promises leads us to seriously question his new application for expanding his winery business. And now it isn't only the owner we have to contend with: we understand from neighbors that his business is now largely controlled by a deep-pocketed out-of-towner. We wonder to ourselves if this new use application is only the tip of the iceberg.

The day a fully-loaded concrete truck tumbled a hundred feet down the canyon wall in 2005.

It has been unsettling to have the road blocked off at the access gate by security for an event and not to be able to get through to our own home without a protracted discussion. Or to feel threatened by speeding traffic racing through while we're getting our mail, and ultimately see the speeder end up at the Caldwell Winery. We fear for the children of our neighbors and their animals. Our nearest neighbor was almost run over recently by a black sedan speeding on the shared access road. The neighbor asked us to look over the edge to see if the car had arrived at the winery, which it had. More than once we have been almost hit head-on, on this shared access road. Speed bumps may be the answer for some of this, but not all of it.

We won't run item-by-item through our thoughts about the different aspects of this new application, but we wonder if increasing winery output and opening up the floodgates on increased tours and events is appropriate for our neighborhood given past history.

From direct observation and from reading previous Napa County Compliance Reports (see Planning Commission Board Agenda Letter 3/17/2010) we know that Mr. Caldwell clearly has not followed rules in the past, and fear that he (and his assigns) won't in the future. We would be glad to share the extensive emails we have had with Mr. Caldwell over the years to back up our concerns.

MENZEL & D'ALUISIO
199 KREUZER LANE
NAPA, CALIFORNIA 94559

We are concerned that the proposed expansion would increase traffic, noise, and pollution, and there would be further disregard for rules and regulations. Certainly, at the very least, there should be a significant environmental impact study required of the petitioner(s), due to the fragility of the Ag-Watershed, and neighborhood impact.

In closing, for the sake of the environment, neighborhood, and Napa County's reputation as a fair conservator of the environment and regulator of appropriate business activity in the rural county, we strongly object to Caldwell Winery expansion in any form and would encourage the county to more strictly enforce the current use permit. We encourage you to review the staff analysis of the Napa County Planning Commission reviewing the many violations of building codes and illegal activities during the first 5 years of the Caldwell Winery's operation (again—see Agenda dated 3/17/2010) and unanimously reject the expansion permit.

Sincerely,

Peter Menzel and Faith D'Aluisio
199 Kreuzer Lane, Napa, CA 94559
www.menzelphoto.com

Vincent Siebern
132 Kreuzer Ln
Napa, CA 94559

May 5, 2017

MS. Wyntress Balcher
Planning, Building & Environmental Services
1195 Third St, Suite 210
Napa, CA. 94559

Dear MS Balcher

I object to Mr. Caldwell's new proposals. I am really concerned about his wanting a tasting room capable of accommodating up to 60 persons per day for wine tasting. I also object to him wanting 11 employees, that will be 9 more cars flying up the road at 6AM and leaving at 4PM when I am walking my dog. I am not interested in increasing the traffic on Kreuzer Lane at all.

I purchased my home on Kreuzer because it was a quiet street with about 20 cars a day going past my house and half of those cars are my neighbors who drive conservatively. His proposals will **greatly** increase traffic on the street and not just cars, but large trucks to provide materials for the custom crushing. I could see his proposals tripling the number of cars and trucks on Kreuzer Ln. and many of them will be looking at their phones, speeding and ruining the tranquility we currently have so Mr. Caldwell can increase his income.

Please let me know if there are going to be any public hearings on this matter as I would like to attend.

Sincerely,

Vincent Siebern

Wyntress Balcher
Planning, Building and Environmental Services
1195 Third Street, Suite 210
Napa
CA 94559

Lorenzo Mills
Marissa Carlisle
187 Kreuzer Lane
Napa
CA94559

August 4, 2017

Dear Ms Balcher:

We have been residents of 187 Kreuzer Lane since 1989. We would like to express our concerns in the pending matter of the use permit application for winery expansion by Caldwell Vineyard LLC.

Kreuzer Lane is a cul-de-sac, dead-ending in the Caldwell vineyards and the Caldwell winery. Our driveway spurs off the lane just as the land slows its rise from lower Kreuzer. Our parcel number is 045-310-052-000.

While we are protected from the legitimate and more immediate visual, noise and traffic concerns of other residents, we have noted with alarm the proposed seven fold expansion of daily tours and tastings from the current 8 to 60. At the time of initial application, neighbors of Caldwell Vineyard were told that the winery was intended as a production facility, not a retail one, and that the infrequent visitations were "to the trade". We invite you to ask any tour driver you chance upon how often they take tourists to the Caldwell winery in actuality.

Here's the core issue as we see it. There are 21 residences along Kreuzer Lane. Each resident could rent out two rooms daily to two different clients via Airbnb and there would be 18 fewer trips up and down Kreuzer Lane than are being requested by Caldwell LLC. "Increased visitor traffic on narrow roadways" was cited as one of the reasons for passing County Ordinance 1332 on December of 2009 curtailing short term rentals. Should a winery be allowed a lower standard of neighborhood impact? If exceptionalism for a winery is cited on economic grounds, each residence renting short term rooms or guest houses would come close to netting $144,000/year and the collective neighborhood over 3 million per year. That is the income being yielded by residents to preserve the quality of our neighborhood.

We are not arguing to legitimize Airbnb type short term rentals and have been conspicuously compliant with the restrictions as we agree with the premise that short term rentals can be detrimental to our quiet neighborhood. But visitors, be they renters or wine aficionados, are visitors, traffic is traffic, and impact is impact. A full tilt retail winery is not appropriate on Kreuzer Lane.

Sincerely,

Lorenzo Mills
Marissa Carlisle

Wyntress Balcher, Planner
Napa County Planning, Building & Environmental Services Dept.
1195 Third Street, Suite 210
Napa, CA

RE: Caldwell Vineyards Major Modification #P17-00074-MOD

Our house is at 1191 Green Valley Road and we share an approximately 800 foot property line with Caldwell Vineyards. Our property is closer to the Caldwell cave than any other. We do not object to expansion of the existing cave. To the contrary, we view the cave as an emergency fire shelter for firefighters, neighbors and others at risk.

Regarding the 10,000 gallon per year expansion of the winery we also have no objection. Napa Valley seems to be increasingly dominated by large corporate wineries and we greatly prefer smaller, family owned businesses such as Caldwell Vineyards. We also understand the economic reality that if family businesses are to thrive they need to be allowed responsible growth.

Please feel free to call us if you would like further input or commentary.

Sincerely,

John Coleman + Cathy O'Callaghan

John Coleman and Cathy O'Callaghan
1191 Green Valley Road
jcnnapa@gmail.com and cathyocallaghan@gmail.com
258-2315
January 10, 2018