

“F”

## Public Comments

**From:** [Peter Menzel](#)  
**To:** [Balcher, Wyntress](#)  
**Subject:** Adding our APN to Caldwell Winery residences to be notified of events  
**Date:** Thursday, January 18, 2018 12:26:30 PM  
**Attachments:** [PastedGraphic-6.png](#)

---

2018-01-18

Hi Ms Balcher:

Can you please have our APN #045-310-053 added to the list of residences that are to be notified in advance of events at the Caldwell Cave Winery?

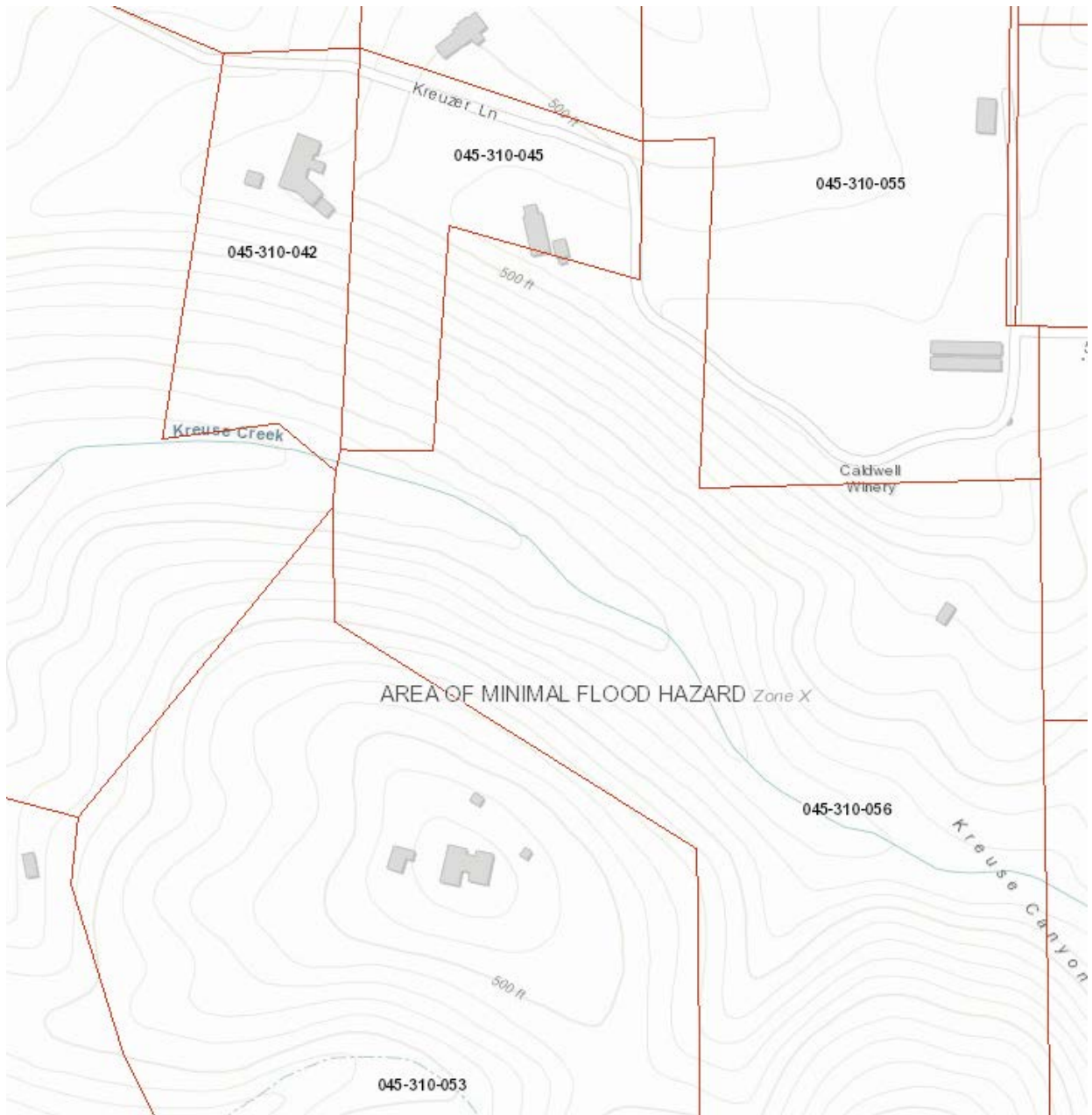
From the topo parcel map attached, you can see that our home is line of sight to the cave complex located across the steep ravine marked as Kreuse Canyon on the map.

Our line of sight **and sound** makes us the closest neighbor to be impacted by direct noise from daily operations and especially from events which often have and not supposed to have amplified music.

Thanks,

Peter Menzel and Faith D'Aluisio

199 Kreuzer Lane



NEW YORK  
LONDON  
SINGAPORE  
PHILADELPHIA  
CHICAGO  
WASHINGTON, DC  
SAN FRANCISCO  
SILICON VALLEY  
SAN DIEGO  
SHANGHAI  
BOSTON  
HOUSTON  
LOS ANGELES  
HANOI  
HO CHI MINH CITY

# DuaneMorris®

FIRM and AFFILIATE OFFICES

DENIS F. SHANAGHER  
DIRECT DIAL: +1 415 957 3318  
PERSONAL FAX: +1 415 520 5493  
E-MAIL: [dfshanagher@duanemorris.com](mailto:dfshanagher@duanemorris.com)

[www.duanemorris.com](http://www.duanemorris.com)

ATLANTA  
BALTIMORE  
WILMINGTON  
MIAMI  
BOCA RATON  
PITTSBURGH  
NEWARK  
LAS VEGAS  
CHERRY HILL  
LAKE TAHOE  
MYANMAR  
OMAN  
A GCC REPRESENTATIVE OFFICE  
OF DUANE MORRIS

MEXICO CITY  
ALLIANCE WITH  
MIRANDA & ESTAVILLO  
SRI LANKA  
ALLIANCE WITH  
GOWERS INTERNATIONAL

February 22, 2018

## VIA E-MAIL & OVERNIGHT MAIL

Joelle Gallagher, Commissioner  
Michael Bayayne, Commissioner  
Anne Cottrell, Commissioner  
Terry Scott, Commissioner  
Jeri Gill, Commissioner  
c/o David Morrison, Director  
COUNTY OF NAPA PLANNING COMMISSION  
1195 Third Street, Suite 210  
Napa, CA 94559

**Re: 270 Kreuzer Lane – Napa, California  
Caldwell Vineyards Use Permit No. P17-00074-MOD  
APN Nos.: 045-310-056 and 045-310-055**

Dear Commissioners:

This firm represents the Kreuzer Lane Protection Committee (the “KLPC”), a group of concerned property owners on Kreuzer Lane and in the surrounding neighborhood, in connection with the pending Use Permit Major Modification application (the “Project”) for Caldwell Vineyards, the hearing on which is currently scheduled for March 7 at 1:00 p.m. The purpose of this letter is to request a short continuance of the hearing in order to allow for the necessary and appropriate time to review the additional traffic study that has been promised by the Sponsor, although not yet received.

As you are aware, a number of issues have been raised in connection with the Project, both with the Project Sponsor Caldwell Vineyards, and at a prior hearing before this Commission. Some of those issues were discussed by members of the KLPC with the Project Sponsor at a meeting on February 6, 2018.

DUANE MORRIS LLP

SPEAR TOWER, ONE MARKET PLAZA, SUITE 2200  
SAN FRANCISCO, CA 94105-1127

PHONE: +1 415 957 3000 FAX: +1 415 957 3001

Joelle Gallagher, Commissioner  
Michael Bayayne, Commissioner  
Anne Cottrell, Commissioner  
Terry Scott, Commissioner  
Jeri Gill, Commissioner  
February 22, 2018  
Page 2

In a letter to members of the KLPC on February 16, 2018, the Project Sponsor wrote in pertinent part as follows:

Caldwell Vineyard, in consultation with the County, has agreed to prepare an additional Traffic Study for the Caldwell Vineyard project. The Traffic Study will include: project traffic generation; traffic counts for Fourth Street and Kreuzer Lane; existing conditions on both roadways; collision records; existing plus project conditions on both roadways; evaluation of stop sign warrant at intersection of Fourth Street and Kreuzer Lane; and recommended to address any significant impacts identified.

It is respectfully submitted that an "additional" traffic study is necessary and appropriate at this time, particularly given the concerns of the KLPC that the Planning Department and Initial Study has not properly analyzed the traffic impacts of the Project.

In short summary, the Initial Study curiously relies on a simplistic two-page calculation of traffic flow from a civil engineering firm, and not a traffic consultant. The calculation does not appear to properly calculate the traffic impacts of a 773% increase in total wine tasting visitors per year, a 225% increase in special event guests, and an unlimited increase in Custom Crush Producers. Even the PM Peak trip calculation submitted by the Sponsor shows a 5-fold increase in traffic on a one-lane narrow road.

More importantly, the Initial Study improperly attempts to incorporate and rely on an August 24, 2017 traffic study by W-Trans for the Paul Hobbs-Nathan Coombs Winery Project at 2184 Imola Avenue. That traffic study analyzes a project some half-mile and three intersections to the Southwest, *for which there is effectively no projected increase in traffic near Kreuzer Lane*, and so it never properly considers the impact of levels of service at Fourth Avenue and Kreuzer Lane.

Moreover, the Paul Hobbs entrance is directly off Fourth Avenue, into a vineyard and then to the winery. To access the Caldwell Winery location, a visitor must pass by more than 10 residences on a dead end lane, through a narrow private road section, and then descending down a steep narrow cliff-face road to a winery in a wildfire prone area

Please be advised that the KLPC intends to hire a traffic consultant to analyze the traffic impacts of the Project, either independently or through a peer review of the promised "additional" traffic study, or both.

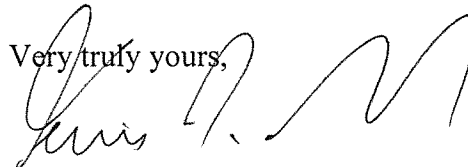
Joelle Gallagher, Commissioner  
Michael Bayayne, Commissioner  
Anne Cottrell, Commissioner  
Terry Scott, Commissioner  
Jeri Gill, Commissioner  
February 22, 2018  
Page 3

But under any circumstances, given that the additional traffic study has not been received to date, it is not practical or feasible to conduct a meaningful review in advance of the scheduled March 7 hearing.

For these reasons, we would respectfully request that the hearing on the above-referenced application be continued to a date next on the Commission calendar which is at least 30 days after receipt of the additional traffic study from the Project Sponsor.

Please do not hesitate to call me if you have any questions or concerns. Thank you for your consideration in this regard.

Very truly yours,

A handwritten signature in black ink, appearing to read "Denis F. Shanagher", written in a cursive style.

Denis F. Shanagher

DFS

cc: Wyntress Balcher  
Tom Adams, Esq.  
Clients