

“G”

Public Comments Received After Planning
Commission Meeting of October 2, 2019

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January 6, 2020

Napa County Planning Commission
1195 Third Street
Napa, CA 94559
Attn: David.Morrison@countyofnapa.org

Re: Scarlett Winery Use Permit P16-0428-UP

Dear Commissioners:

On behalf of George and Nancy Montgomery, residents on Ponti Road, we urge you to deny the proposed Scarlett Winery Project (“Project”). As we explained in our October 1, 2019 letter, the Initial Study/Mitigated Negative Declaration (“MND”) fails to comply with the requirements of the California Environmental Impact Report (“CEQA”), Public Resources Code § 21000 *et seq.* and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 *et seq.* (“CEQA Guidelines”). In fact, the Project would violate requirements in the Napa County Code designed to ensure public safety and compatibility with the existing community.

At the Commission’s October 2, 2019 hearing, a number of issues were raised regarding the Project’s size relative to its location and whether it could be modified to reduce these impacts. In response to issues, the Montgomery’s, supported by their neighbors along Ponti Road, retained a civil engineer to assess the feasibility of providing access to the winery from the Silverado Trail. As detailed below, this report unequivocally demonstrates that access from the Silverado Trail is feasible. In fact, it is the only option available that complies with the County’s Code.

For this reason, the staff report’s conclusion that the County may approve the Project as currently proposed is wrong. This Project is not typical of the winery projects routinely approved by the County, and the Commission may not overlook the Project’s inconsistencies with the General Plan or interpret County ordinances in ways that allow the Project. As this letter explains, the law requires the Commission to reject this Project.

On behalf of the Montgomery's and the other residents in the Ponti Road neighborhood, we urge the Commission to do what the County's ordinances and General Plan require: to consider the remote location of the project and its impacts on public safety and welfare of the community that will live with the Project's impacts. Doing so requires the Project be redesigned so that it complies with the County's codes and reflects a more appropriate balance between the public interests of the community and the private interests of the applicant. Unless and until this is done, the Project as proposed must be denied.

1. Access From Ponti Road

Perhaps the single most significant impact associated with the proposed Project is its proposed vehicular access. Access would be provided via Ponti Road, a 15-foot wide local street that extends north from Skellinger Lane and serves seven residences.

In addition to wine production, the winery would host various commercial marketing activities throughout the year, including events accommodating 100 to 200 people. These events will generate up to roughly 170 vehicular trips. The impact of these trips on Ponti Road is not adequately analyzed in the MND's traffic analysis.

Interestingly, the Project's winery access road (in effect, the Project driveway) is proposed to be 20-foot wide, one-third wider than Ponti Road. Although the "Project Statement" attached to the Project's Use Permit Application correctly states that, "[t]he proposed winery access road is consistent with the County Road and Street Standards relative to the road width and surfacing requirements," no such claim is made with respect to Ponti Road. In fact, Ponti Road *does not meet the County road standards*, which state:

All streets and roads, with the exception of agricultural special purpose roads and residential driveways, shall be constructed to provide a minimum of two 10-foot traffic lanes and a minimum of one foot of shoulder on each side of the roadway providing two-way traffic flow. (Reference: Napa County Department of Planning, Building & Environmental Services, Napa County Road & Street Standards, Revised September 26, 2017, p. 12).

Ponti Road is lined on both sides by mature walnut trees, which limit the feasibility of widening the road. Bartelt Engineering recommends installing two-foot gravel shoulders on both sides of Ponti Road. See Bartelt Engineering's November 20,

2019 letter to C. Gallina. Yet, as transportation engineer Neal Liddicoat explains, the addition of shoulders would not bring Ponti Road into compliance with the County's road standards. *See* Letter from Griffin Cove Transportation Consultants PLLC, January 2, 2020. Moreover, because there is no evidence the Board of Supervisors accepted the road as proposed in the petition (see attached recently updated page from the Napa County Roadbook), the public right-of-way is only as wide as the existing road, with the possible exception of the segment referenced in the attachment. Consequently, any widening of Ponti Road would require acquisition of private land and would therefore be infeasible.

Largely because Ponti Road does not meet the County's standards, it would pose a public safety risk as it has the potential to interfere with emergency evacuation and emergency response in the event of a wildfire. In addition to its 15-foot width, Ponti Road is a dead-end roadway that is the sole access for seven residences. Ponti Road dead-ends in a vineyard and trucks currently must use driveways to turn around. Threats, including a wildfire that ignites nearby, may occur with little or no notice. Even with roadways that are designed to the County's code requirements, it may not be possible to move a number of persons at the same time that emergency vehicles are attempting to access a fire. Quite simply, Ponti Road is too narrow to support evacuating vehicles and emergency response vehicles.

The MND asserts that the Project's access driveway would not obstruct emergency vehicle access yet the document makes no assessment at all of the ability of Ponti Road to affect emergency access. Moreover, the MND states that the Napa County Fire Department and the Engineering Services Division reviewed and approved the Project (at page 25), yet we can find no documentation to support this statement. Given the severity of the fire danger in the area, the MND is shockingly deficient. Access to a commercial winery on Ponti Road has the potential to create a recipe for disaster.

2. Alternative Access and Winery Location

As we explained in our October 1, 2019 letter, there are feasible vehicular access alternatives. Access to the proposed winery can and should occur directly from Silverado Trail; there is no need to rely on substandard Ponti Road. Because the applicant had been unwilling to share the alternative access "study" referenced in the February 15, 2018 letter from D. Oldford to C. Galina, the Montgomery's retained a civil engineer to evaluate the feasibility of providing access to the winery from a driveway directly off of Silverado Trail. *See* RFE Engineering Inc., Technical Memorandum, January 3, 2020, attached as Exhibit A.

RFE Engineering (“RFE”) did not identify any site constraints that would preclude the addition of a new driveway along Silverado Trail. Bartelt Engineering also determined that the construction of a new driveway access to the proposed winery from Silverado Trail is feasible from an engineering standpoint. *See* Bartelt Engineering Letter C. Gallina, November 20, 2019.

RFE also consulted with Napa County Public Works to determine the County’s recommendation about access for commercial wineries. According to Public Works, *a new commercial driveway would be more appropriate along Silverado Trail as Ponti Road was not designed for commercial traffic.* (Exhibit A at 2). RFE’s investigation revealed that access from Silverado Trail may require relocation of an overhead electrical line, installation of a drainage culvert, and possibly grading and placement of fill to make the transition in elevation from Silverado Trail to the winery driveway. (*Id.* at 3). However, the nature of these improvements are common with proposed developments. (*Id.*) Again, RFE (and Bartelt Engineering) did not identify any site constraints that would preclude the addition of a new driveway along Silverado Trail.

The applicant’s traffic engineer, Crane Associates, suggests that a left-turn lane on Silverado Trail into the proposed Scarlett Winery could create turning movement conflicts with the Pina Napa Valley Winery (located across Silverado Trail Road), yet there is no indication that Bartelt Engineering actually investigated this issue. According to RFE Engineers, the Pina Napa Valley Winery driveway would have little, if any, impact on a new driveway to the proposed Scarlett winery from Silverado Trail.

Two civil engineers have now determined that access from Silverado Trail is feasible. Ponti Road does not meet the County’s standards for commercial traffic. If the County is intent on approving the Scarlett Winery, the obvious solution for access is a driveway from Silverado Trail. It is clear from the Bartelt Engineering memorandum that the only reason the applicant is refusing to provide access from Silverado Trail is to avoid an increase in cost. Approval of the proposed winery would however allow the applicant to greatly increase profits over the long term. We urge the Commission to reconcile this increase in long term profits with the comparatively nominal cost of constructing a new access drive from Silverado Trail.

3. Neighbors’ Meeting With Applicant

As the Commission requested, the neighbors met with the applicant on November 20, 2019. The applicant reiterated his position that he is not willing to consider access from Silverado Road. The applicant also flatly rejected the neighbors’ request that the winery be repositioned to a location on the applicant’s parcel that would place it further

from the residences in the area and therefore reduce its substantial noise and aesthetic impacts.

4. The County Cannot Make the Requisite Findings for Issuance of a Use Permit.

Before issuing a use permit, the County must find that the grant of the permit “will not adversely affect the public health, safety or welfare of the county” and that the proposed use complies with the General Plan and the Zoning Code. Napa County Code § 18.124.070(C), (D). There is no basis to support the County’s approval of the use permit because the Project would adversely affect public safety and welfare. First, as we explained above, Ponti Road does not meet the County’s Road and Street Standards. Providing commercial access to the proposed winery on this narrow, substandard road would pose a public safety risk. Second, as we explained in our October 1, 2019 letter, the Project’s improvements have the potential to adversely groundwater resources in the area. Third, as we also explained in our October 2019 letter, noise from the Project would likely exceed the Code’s permissible standards. Fourth, the Project violates the General Plan, so the County cannot make the required consistency finding.

Finally, there is substantial evidence in the record that the Project will have a significant effect on the environment. *See e.g.*, this firm’s October 1, 2019 letter along with the reports prepared by the following technical experts: Griffin Cove Transportation Consulting, PLLC (transportation and traffic), Papadimos Group (noise), and Kamman Hydrology & Engineering, Inc. (hydrology and water quality).

For the aforementioned reasons, the County may not lawfully issue a use permit for the Project. NCC § 18.124.070.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Ellison Folk

Napa County Planning Commission
January 6, 2020
Page 6

cc: Charlene Gallina
George and Nancy Montgomery

Exhibits:

RFE Engineering Inc., Technical Memorandum, January 3, 2020.

Griffin Cove Transportation Consultants PLLC, January 2, 2020.

Napa County Roadbook, Ponti Road (From Skellinger Lane Northerly to End).



TECHNICAL MEMORANDUM

TO: Laurel Impett, AICP
Shute, Mihaly, & Weinberger, LLP

FROM: Erik Fanselau, P.E.

DATE: January 3, 2020

SUBJECT: Scarlett Winery Access Feasibility Assessment

INTRODUCTION

This Technical Memorandum provides a preliminary analysis of the feasibility of accessing the proposed Scarlett Winery from a driveway off of Silverado Trail. RFE has not identified any site constraints that would preclude the addition of a new driveway along Silverado Trail. Furthermore, we believe a new commercial driveway would be more appropriate along Silverado Trail as Ponti Road was not designed for commercial traffic. Commercial traffic on Ponti Road could pose a negative impact for local residents and create a safety issue due to commercial vehicles operating on roads with bicycle and pedestrian traffic and without sidewalks.

A. BACKGROUND

A winery is proposed at 1052 Ponti Road in Napa, California, APN 030-280-010. The winery parcel is bounded by Silverado Trail on the east, Ponti Road on the west, and vineyard/residential property to the north and south. The proposed winery would be constructed on agricultural land that currently is being used for vineyard. To facilitate construction, the winery would remove a portion of the vineyard area to construct the buildings and related features such as a parking lot and driveway. The applicant's Use Permit Application shows the proposed commercial driveway access from Ponti Road. Ponti Road is currently being used solely for residential access and has not been designed for commercial use based on the 2019 Napa County Road & Street Standards.

B. LOCATION MAP



C. EXISTING CONDITIONS

The proposed winery site parcel is approximately 47.9 acres of vineyard with a single-family residence and a pond. The ground appears to be relatively flat. This neighborhood would be classified as low density residential with agricultural use. This parcel is zoned AP – Agricultural Preserve. The Pina Cellars winery is located on the east side of Silverado Trail. The posted speed limit of this section of Silverado Trail is 55 mph. The existing road width of Ponti Road varies but it does not meet the minimum requirement based on Napa County Road & Street Standards.

D. PROPOSED ACCESS

George and Nancy Montgomery retained a GIS Specialist to evaluate potential alternatives for relocating the winery and access route. The GIS Specialist identified two potential winery access points along Silverado Trail. Either access point would be located near the existing maintenance roads on the winery site to minimize the impact to existing vines. See Attachments 1 and 6.

E. NAPA COUNTY REQUIREMENTS

RFE contacted the Napa County Department of Public Works to discuss the applicable design criteria for a typical driveway access from Silverado Trail in this general area. RFE spoke with Craig Chapin, Engineering Technician III, on November 1, 2019. The County confirmed the following:

- Silverado Trail is more appropriate for commercial winery access because Ponti Road is not intended for commercial traffic due to the existing roadway design. It is RFE's opinion that Ponti Road would be classified as a General Minor road per Napa County Road & Street Standards. Based on initial evaluation, the current conditions of Ponti Road may not meet the requirements for a General Minor Road in regards to lane width and shoulder width, see Attachment 2. This issue should be addressed with Napa County. A photograph of Ponti Road is included in Attachment 4. The County should also evaluate the current condition of the existing pavement surface and what impact commercial traffic would have on the pavement structure.
- From a civil engineering perspective, a new driveway along Silverado Trail is feasible.
- Napa County Detail P-2 is the appropriate standard detail to use. See Attachment 3 (Driveway Connection to Arterial Roads- Rural Roads).
- A left-turn lane on Silverado Trail could be required if warranted by the winery's traffic volumes although some of the smaller wineries do not warrant a left-turn lane.
- 500 feet site distance on Silverado Trail would be required on either side of the driveway.
- Per Napa County Detail P-2 (Attachment 3), a 40 foot minimum deceleration length would be required. It may need to be longer due to the design speed on Silverado Trail. As noted above, the posted speed is 55 mph.
- The location of existing driveways (near the Pina Cellars winery) on the east side of Silverado Trail would have little to no impact on either of the alternative driveway locations for the proposed winery.

In order to obtain specific feedback from the County it would be necessary to submit a preliminary design for their review.

F. UTILITIES

There is an overhead electric line along the west side of Silverado Trail. Installation at either driveway location would require coordination with PG&E and any affected telecommunication companies that are using the facilities. Depending on the specific driveway location selected, it may require one or more poles to be relocated with associated costs to be paid by the applicant. This is a common situation with proposed developments.

The west side of Silverado Trail appears to have a roadside ditch to convey runoff from the roadway. The new driveway construction would require a minimum 18-inch culvert to be placed under the driveway to convey this flow. Drainage calculations should be performed to determine the required size. See Napa County Detail P-2, attached.

G. GRADING

Silverado Trail is higher in elevation than the applicant's property. This will require appropriate fill material to make the transition in elevation from Silverado Trail to the winery driveway. This is a common situation with proposed developments. The grade differential varies depending on the location of the potential driveway alternative. Both locations appear to have less than 10 feet of grade differential. A topographic survey and preliminary design would be required to identify the specific quantity of fill. There does not appear to be any site constraints that would preclude the grading for a proposed driveway from Silverado Trail.

H. RIGHT-OF-WAY/LEFT-TURN LANE

A left-turn lane on Silverado Trail may be required depending on the proposed winery's traffic volumes. It is recommended that a traffic engineer perform the appropriate analysis. If a left-turn lane is required, a small portion of additional right-of-way may be necessary. This would be determined with a topographic survey and preliminary design. If additional right-of-way is required, a licensed surveyor would prepare the right-of-way dedication to the County. RFE determined that there appears to be sufficient room to construct the left-turn lane based on the required geometry. In addition, the winery parcel is at a sufficient distance from the intersection of Silverado Trail and Skellenger Lane. It should also be noted that Pina Cellars winery, located across the street, does not have a left-turn lane at the driveway to its business.

I. CRANE MEMORANDUM

RFE has reviewed the Crane Transportation Group Memorandum (CTG) dated October 14, 2019, prepared for the applicant in connection with the proposed winery. CTG suggests that the proposed winery access should be located along Ponti Road for two reasons. First, CTG states that such access would limit driveway connections to Silverado Trail if alternate access is available. Second, CTG asserts the driveway to the proposed winery could result in a potential conflict with the driveway to the Pina Cellars winery. RFE disagrees with these conclusions. CTG neglects to address the following issues with Ponti Road:

- Ponti Road is residential and not intended for commercial access. This was confirmed with County staff.
- The existing condition of Ponti Road does not appear to meet current Napa County requirements (this was also a conclusion in the Bartelt Engineering, November 20, 2019 letter); this includes lane widths and shoulders, see Section F. Additional Right-of-Way could be required to widen Ponti Road to current Napa County standards.
- The addition of commercial traffic to Ponti Road, which does not meet current County standards, does not provide adequate room for pedestrians and bicycles.
- The narrow width of Ponti Road could affect emergency response and evaluation.

Regarding the Pina Cellars winery access, the coordination of the turn movements between the Pina Cellars driveway and proposed Scarlett Winery driveway can likely be easily resolved with additional design consideration. This is a common situation and would be just one of the variables that would be considered with the proposed Scarlett Winery driveway design and location. Per Section F, RFE's communication with County staff indicated that Silverado Trail would be more appropriate for the Scarlett Winery access, although this statement was not part of a formal review by County staff.

J. BARTELT ENGINEERING LETTER

RFE has reviewed the letter prepared by Bartelt Engineering dated November 20, 2019, which was prepared for the applicant in connection with the proposed winery. This letter addresses the potential offsite improvements required for either proposed driveway location (Silverado Trail or Ponti Road). RFE agrees with the Bartelt letter that whichever road provides access for the Scarlett Winery will require improvements. However, RFE would recommend that Napa County provide formal direction on the specific roadway improvements that would be required for both access options. This would also facilitate a more accurate cost estimate.



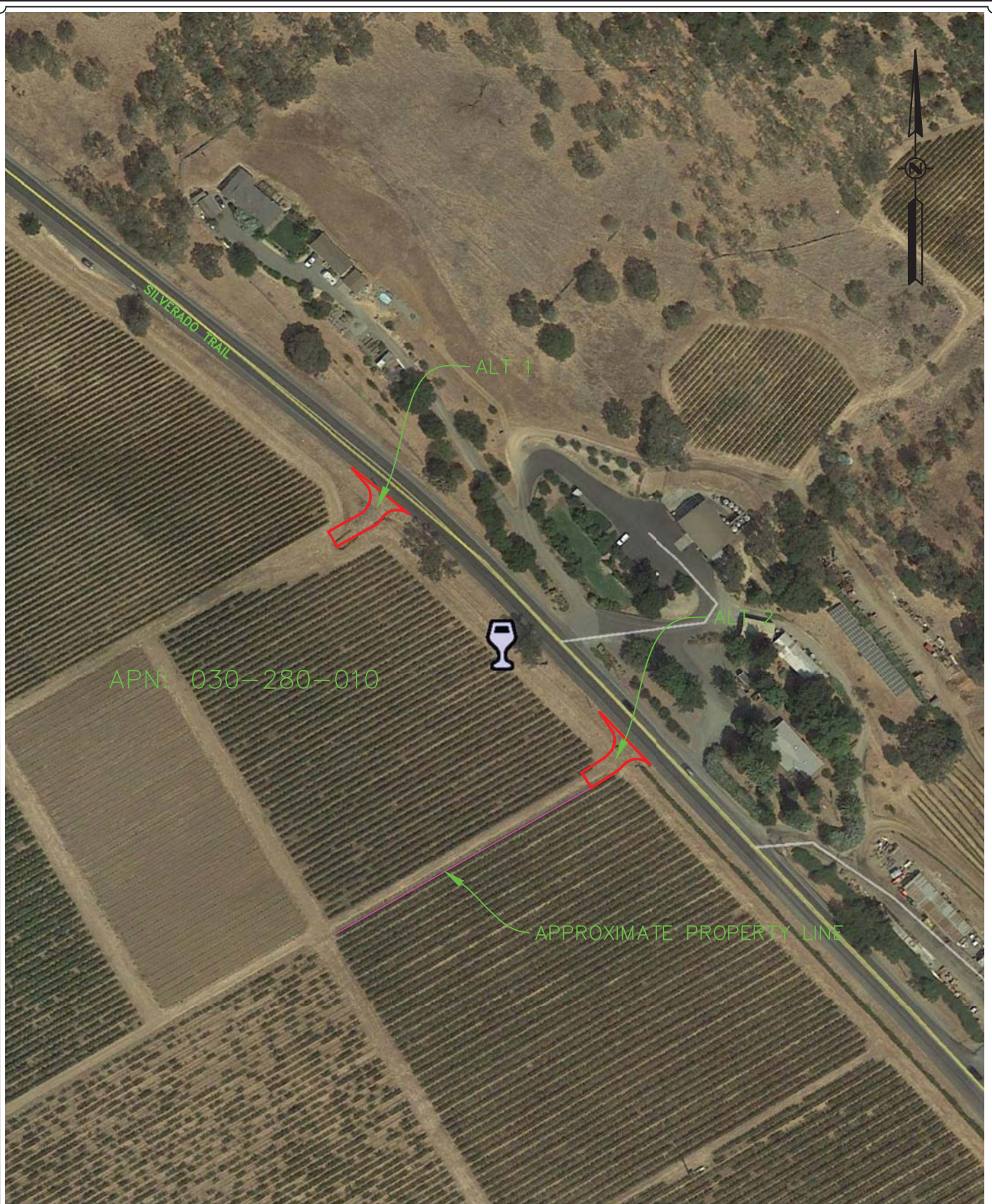
K. CONCLUSION

For the reasons outlined above, RFE has not identified any site constraints that would preclude the addition of a new driveway along Silverado Trail. We believe Silverado Trail provides the best access for the proposed Scarlett Winery.

ATTACHMENTS

1. Proposed Driveway Access
2. Detail C-5 -Minor Road Section
3. Detail P-2 - Driveway
4. Photos
5. USGS Topography
6. Proposed Alternative Location and Access for Scarlett Winery

1196724.1



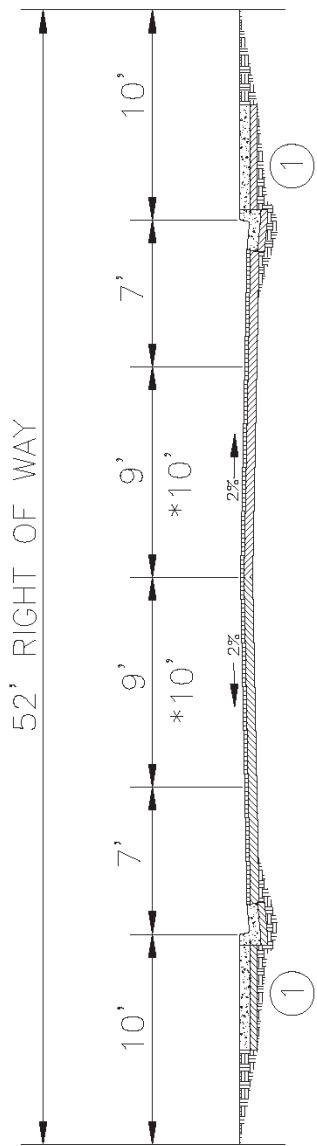
Z:\2019 Projects\19144 Scarlett Winery\WORKING CAD\EXHIBITS\Scarlett Winery Exhibit.dwg Nov 08, 2019-12:51 pm



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ACCESS EXHIBIT

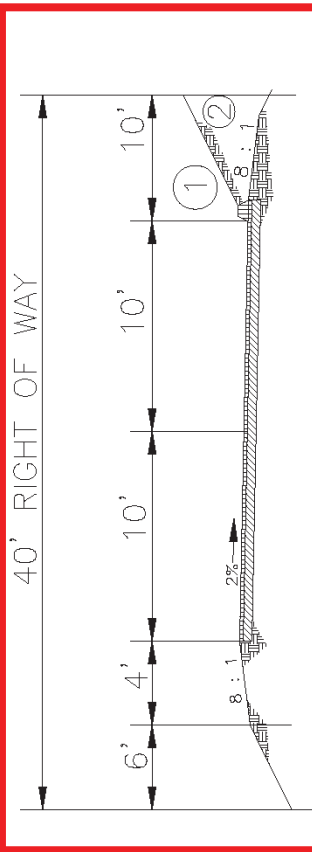
SCARLETT WINERY
 1052 PONTI ROAD
 NAPA, CA 95993



WITH PARALLEL PARKING LANES

MINIMUM CUL-DE-SAC RADIUS IS 40' TO FACE OF CURB.

- 1. 5' P.C.C. SIDEWALK.
- *NOTE: INCREASE DRIVING LANE WIDTH TO 10' WHEN LENGTH EXCEEDS 1,000' & EMERGENCY ACCESS IS NOT PROVIDED.



WITHOUT PARALLEL PARKING LANES

MINIMUM CUL-DE-SAC RADIUS IS 40' TO EDGE OF PAVEMENT.

- 1. A.C. DIKE IN CUT AREAS. BERM REQUIRED WHERE FILL HEIGHT EXCEEDS 10 FEET.
- 2. 4' SHOULDER IN FILL AREAS.

NOT TO SCALE

NON-CONTINUING MINOR,
LOOP ROAD & CUL-DE-SAC

DESIGN SPEED – 20 M.P.H.
A.D.T. UP TO 250 VEHICLES PER DAY

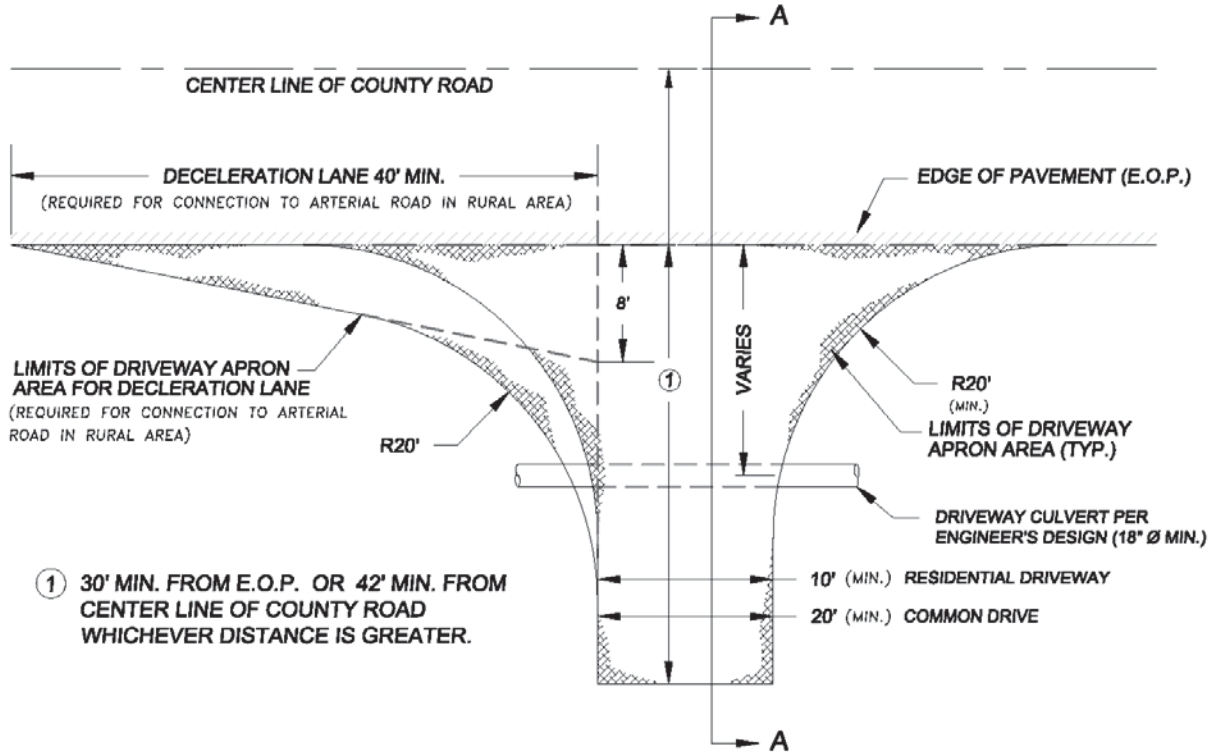
COUNTY OF NAPA
DEPARTMENT OF PBES

DATE: JUNE 2016

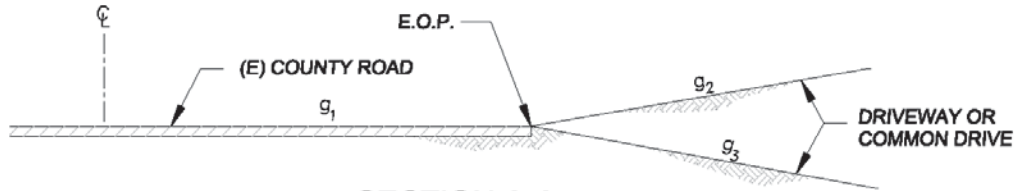
Nathaniel J. Galambos
ENGINEERING MANAGER

RCE 57273

P-2 DRIVEWAY CONNECTION TO ARTERIAL ROADS – RURAL ROADS



① 30' MIN. FROM E.O.P. OR 42' MIN. FROM CENTER LINE OF COUNTY ROAD WHICHEVER DISTANCE IS GREATER.



SECTION A-A


PROVIDE A VERTICAL CURVE IN ACCORDANCE WITH SECTION 15 FOR THE FOLLOWING GRADE DIFFERENTIALS:

$$\text{IF } |g_2 - g_1| > 10\% \quad \text{OR} \quad \text{IF } |g_3 - g_1| > 6\%$$

NOTES:

1. SEE DETAIL D-11 FOR ENTRY GATE DETAIL.
2. APRON AREA SHALL HAVE A MINIMUM PAVEMENT SECTION OF 2" HMA OVER 5" CL. 2 AB.
3. CULVERT MATERIAL MAY BE STEEL, ALLUMINUM, RCP, OR HDPE. MINIMUM COVER OVER CULVERT SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS FOR H20-44 LOADING OR AS DIRECTED BY COUNTY ENGINEER.

NOT TO SCALE

| | |
|---|-----------|
| COUNTY OF NAPA DEPARTMENT OF PBES | |
| DRIVEWAY / COMMON DRIVE CONNECTION TO ARTERIAL ROADS IN RURAL AREAS | |
|  ENGINEERING MANAGER | RCE 57273 |
| APRIL 2016 | |

Attachment 4

Ponti Road
looking south

Lane widths and shoulder widths may not meet the requirements of Detail C-5 for General Minor road (Attachment 2).

Alternative 1

Silverado Trail
looking south

PINA CELLARS

Google Earth

© 2018 Google
© 2019 Google



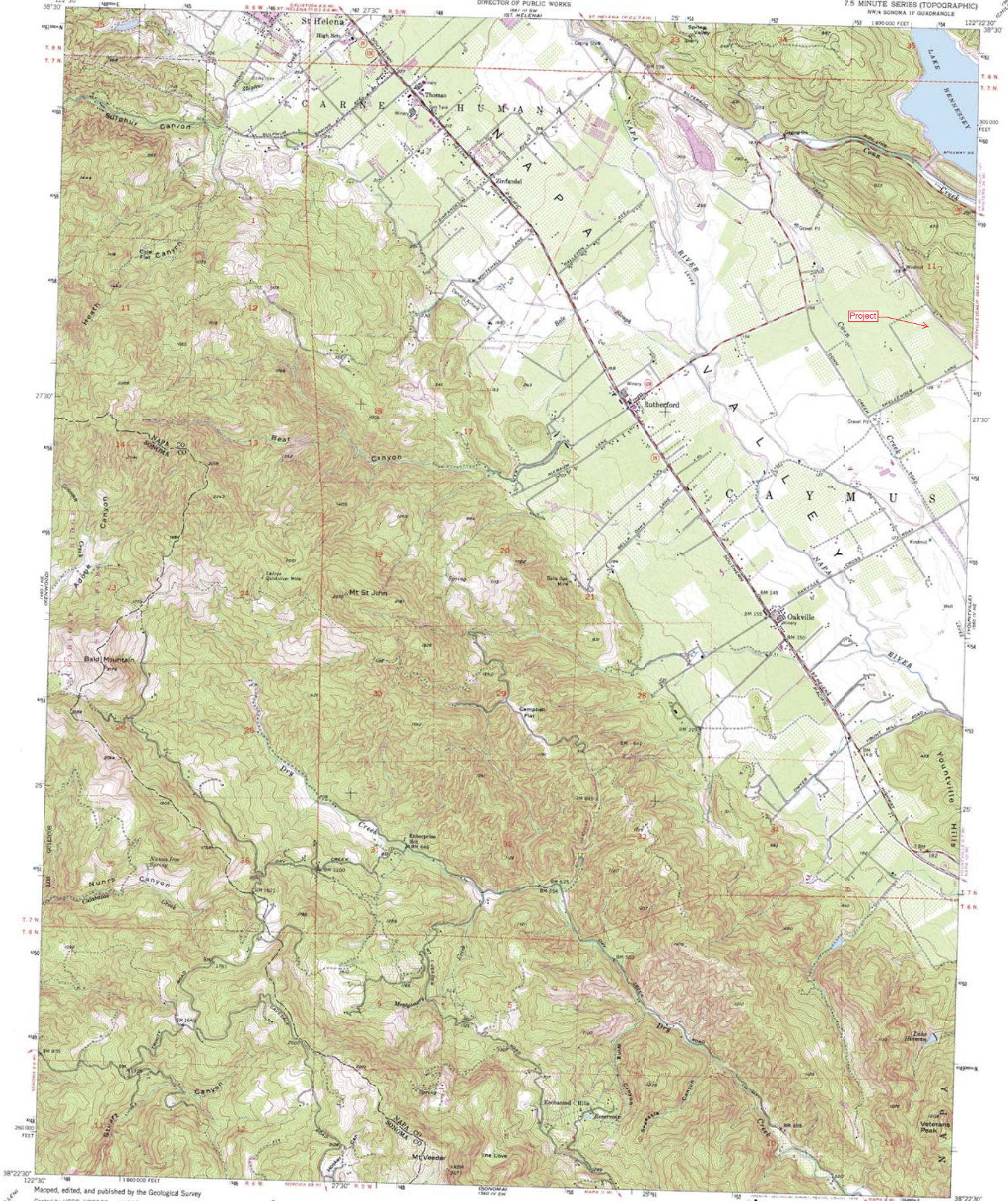
Alternative 2

Silverado Trail
looking north

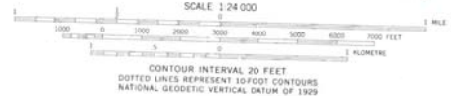
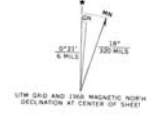
Google Earth

© 2018, Google
© 2019, Google





Maped, edited, and published by the Geological Survey
Control by USGS, USCG&S, and USCE
Topography from aerial photographs by multicolor methods
and by plane-table surveys 1951. Aerial photographs taken 1948
Polyconic projection. 1927 North American datum
10,000-foot grid based on California coordinate system, zone 2
1,000-metre Universal Transverse Mercator grid ticks,
zone 10, shown in blue
Revisions shown in purple compiled from aerial photographs
taken 1968. This information not field checked
Purple tint indicates extension of urban areas
Map photomapspected 1973
No major culture or drainage changes observed



CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 100-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929



ROAD CLASSIFICATION

| | |
|-----------------|-------|
| Light-duty | — |
| Unimproved dirt | ----- |
| State Road | ○ |

THIS MAP COMPLIES WITH NATIONAL MAP ACTUARY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

RUTHERFORD, CALIF.
NW4 QUADRANGLE
N 3822.5-W 12222.5/7.5

1951
PHOTOMAP 1:24,000
AMS 1960 IV NW-SERIES 1985
PHOTOINSPECTED 1973

Proposed Alternative Location and Access for Scarlett Winery

Attachment 6



Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Griffin Cove Transportation Consulting, PLLC

January 2, 2020

Ms. Laurel L. Impett, AICP
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, California 94102

Subject: ***Scarlett Winery – Traffic Access Issues
County of Napa, California***

Dear Ms. Impett:

On September 30, 2018, Griffin Cove Transportation Consulting, PLLC (GCTC) documented a detailed review of the traffic impact analysis completed with respect to the proposed Scarlett Winery project in Napa County, California (Use Permit #P16-00428-UP). As you know, the proposed project is the subject of an Initial Study/Mitigated Negative Declaration (IS/MND) prepared by the County. (Reference: County of Napa; Planning, Building & Environmental Services Department; September 10, 2019.) The “Transportation” component of the IS/MND is based on information presented in a traffic study prepared by the Crane Transportation Group (Crane). (Reference: Crane Transportation Group, *Traffic Impact Report – Proposed Scarlett Winery Along Ponti Road in the Napa Valley*, February 15, 2018.)

In our letter, we described a number of traffic-related issues, particularly with respect to the proposal to use Ponti Road as the project’s sole vehicular access route. Specifically, our assessment indicated that the project’s impacts on Ponti Road have been inadequately addressed and, further, it is inappropriate to use that road as the sole means of vehicular access to the proposed project site. Among our specific findings in this regard are the following:

- Ponti Road is 15-foot wide with mature walnut trees on either side of the road.
- The project’s winery access road (in effect, the project driveway) is proposed to be 20-foot wide, one-third wider than Ponti Road.
- Ponti Road does not meet Napa County *Road and Street Standards*, which state that, “All streets and roads . . . shall be constructed to provide a minimum of two 10-foot traffic lanes and a minimum of one foot of shoulder on each side of the roadway providing two-way traffic flow.”
- The level of service calculations documented in the traffic impact analysis do not accurately reflect the nature of Ponti Road as a residential street. Specifically, that street currently serves only seven residences; little or no commercial traffic is present on the street. Calculations that simply show the increase in vehicular delay at nearby intersections fail to reflect the potential effects of the project on residents’ quality of life.
- The proposed project will add truck traffic to Ponti Road. However, the project’s traffic impact analysis failed to consider the potential safety effects of this added truck traffic.
- Given the fact that the proposed project will have only a single vehicular access location on Ponti Road, the physical deficiencies of that road raise critical questions with regard to its ability to safely accommodate traffic during an emergency. The IS/MND completely ignored this issue.

- The project's proposed parking supply is inadequate to meet the needs of the project, and the impacts associated with this parking deficiency were not addressed in the IS/MND. Given the presence of the mature walnut trees along Ponti Road, it is likely that cars parked along the edge of the road will encroach on the roadway itself, further narrowing the usable width of the road. The safety of pedestrians walking to or from cars parked along the road was also not addressed.

Subsequent to submittal of our comments to Napa County, responses were solicited from Crane Transportation Group (preparers of the project's traffic impact analysis) and Bartelt Engineering (the project's civil engineers).

In a memorandum dated October 14, 2019, Crane describes various perceived issues associated with gaining access to the proposed project directly from Silverado Trail rather than Ponti Road. While access via Silverado Trail may require physical improvements such as a left-turn lane, such improvements are physically feasible according to the Bartelt Engineering memorandum, which is discussed further below. Notably, the Crane document completely ignores the various issues associated with using Ponti Road as the sole project access facility. Thus, it provides an incomplete picture of the proposed project's access options.

Bartelt Engineering also addressed the project's access issues, in a letter dated November 20, 2019. That letter recommends that Ponti Road be improved through the addition of two-foot gravel shoulders on each side of the road, combined with pruning of the existing walnut trees. No analysis is presented to document the benefits of this proposed modification to the road. In fact, even with the addition of gravel shoulders, the paved surface of the road would still be five feet narrower than the minimum Napa County road standard. Little or no improvement in the capacity of the road or its ability to accommodate trucks and other commercial traffic would be realized. Further, no mitigation would be provided with respect to the reduction in quality of life that would be experienced by Ponti Road residents.

In conclusion, none of the information presented in these two documents is sufficient to alter the conclusions documented in our September 30, 2019 letter regarding the inadequacy of Ponti Road as the sole access facility for the proposed commercial project.

We hope this information is useful. If you have questions concerning any of the information presented here or would like to discuss it further, please feel free to contact me at (906) 847-8276.

Sincerely,

GRIFFIN COVE TRANSPORTATION CONSULTING, PLLC



Neal K. Liddicoat, P.E.
Principal

PONTI ROAD

| No. | NAME | DESCRIPTION | WIDTH | LENGTH |
|------|------------|-------------|-------|--------|
| 3303 | PONTI ROAD | 3302 TO END | | 0.54 |

LOCATION:

FROM SKELLENGER LANE NORTHERLY TO END

GENERAL INFORMATION:

DECEMBER 13, 1938 THE COUNTY ENGINEER WAS DIRECTED TO PREPARE A DESCRIPTION OF ROAD THROUGH PONTI PROPERTY, JULY 5, 1939 PETITION WAS PRESENTED TO THE BOARD OF SUPERVISORS AND VIEWERS WERE APPOINTED.

NO FURTHER RECORD. PETITION COULD NOT BE FOUND (NOT IN COUNTY CLERKS OFFICE)

R/W, 28' FROM CENTERLINE (NORTH OF SKELLENGER LN), 2 PM 98, MAP# 2040, 5/7/71; COUNTY ACCEPTED 28-FEET OVER PARCEL B (846 OR 576) BUT NO RECORD FOUND FOR 28-FEET OVER PARCEL A.

NO INFORMATION ON RESOLUTION NUMBER

MAP AND REFERENCE:

NOTES:

From: [Nancy Montgomery](#)
To: [Gallina, Charlene](#)
Subject: Scarlett Winery - Use Permit 16-00428-UP
Date: Wednesday, January 8, 2020 8:52:35 PM
Attachments: [Scarlett Winery .docx](#)

Ms. Charlene Gallina, Planning Supervisor, Department of Planning, Building and Environmental Services
Napa County

SCARLETT WINERY – USE PERMIT P 16-00428-UP

To: The Napa County Planning Commission
From: Nancy and George Montgomery, 1095 Ponti Road, Rutherford

At the October 2nd Planning Commission hearing the applicant, Sherratt Reicher was advised to meet with Ponti Road neighbors and discuss their concerns. On November 20th the following neighbors met at the Reicher guesthouse: Carson Levit, Chris Lenzo, Wendy Green, Cole Irwin (estate manager for the Green family), Nancy and George Montgomery and Sherratt Reicher and Mattie Cooper (President of Scarlett Wines). The York family at 1035 Ponti Rd. never received an invitation.

From the onset, Mr. Reicher's purpose was to convince us that he has addressed our concerns satisfactorily and emphasized he has no interest in entertaining any changes to his plans. He stated that his parents are the sole residents on the property. He and Mattie Cooper live in the East Bay. He has assured his parents that the peace and quiet they currently enjoy will not be disturbed and inferred that the rest of the neighborhood should be satisfied since his family is not concerned. None of the neighbors have ever met his parents and you will recall that he has made no effort to meet his parents' neighbors who have owned homes on Ponti for 20 years or more. No members of his family were present at the hearing nor at this meeting to confirm their support of his project.

We reiterated our concerns about the proposed use of Ponti Road and close proximity of the winery to neighbors; these include increased car and truck traffic, noise from winery machinery and commercial activity, invasive lighting and the substandard roadway. We reiterated all our concerns numerous times but they seem not to be of any value to Mr. Reicher. He continued to repeat that he was sure the winery wouldn't impact us but didn't provide any specific proof that life on Ponti would not permanently change. We asked if he would consider an entrance off Silverado Trail and relocating the winery farther from other homes. He stated that both those options were non-negotiable. Full stop. The only things he offered by way of mitigation were to plant more trees or shrubbery, possibly move some parking to a different side of the buildings. and maybe move the winery several feet. We haven't seen any new plans that would address what he offered to change.

Throughout the discussion, we asked numerous questions about day-to-day operations – traffic, events, water issues, LEED options for the buildings, and more. Mr. Reicher had little knowledge of winery operations. He referred us to the plans posted on the County website. He doesn't know what a LEED rating is. He couldn't answer questions about

water usage, said he'd get back to us with the information but never did. His primary concern seemed to be the cost of making any changes.

As far as we know, he has only offered a plan to resurface Ponti Road with Chipseal and add a strip of gravel on either side of the road. In our opinion this would only degrade the existing road. We have Chipseal on our entrance road at 1095 Ponti. It is an inferior surface to the existing asphalt surface of Ponti. Throughout dry seasons Chipseal generates lots of dust, requiring us to oil our road to protect both our vines and those on his family's property next door. Gravel on the side of the road does not widen a road. In short order it will be ground into the soil surrounding the walnut trees that border Ponti. We are opposed to this as a solution to solve any of the many traffic concerns.

In total, we appreciate Mr. Reicher's desire to build a winery on his mother's property. We are asking him to respect that his project will destroy forever the cherished quality of life for those of us who live on Ponti Road and request that he lessen the impact by relocating the winery further from other homes and provide access off Silverado Trail. We want to preserve what is best about the Napa Valley - a quality of life.

From: [Nancy Montgomery](#)
To: [Gallina, Charlene](#)
Subject: Scarlett Winery - Use Permit P16-00428 UP
Date: Monday, October 14, 2019 8:21:22 PM
Attachments: [Charlene Galina - NPC.docx](#)

Charlene Galina
Supervising Planner
Napa County Planning, Building & Environmental Services Department

SCARLETT WINERY – USE PERMIT P 16-00428-UP

To the Napa County Planning Commission

I am writing to set the record straight about statements made by Donna Oldford, consultant to the applicant, at the hearing on October 2, 2019. Ms. Oldford stated that she was unable to arrange for Sherrett Reicher to meet his neighbors on Ponti Road because the neighbors could not be reached or they rebuffed her efforts to connect with us. This is not true.

On June 28, 2017 Ms., Oldford sent an email to my husband, George Montgomery in which she stated, “my client is aware that we have been in touch and is trying to schedule a meeting date”. George responded on July 10, 2017, “I look forward to meeting with you”. Neither Ms. Oldford nor Mr. Reicher followed up prior to the October 2nd hearing.

I will not respond to other demeaning and degrading comments Ms. Oldford made about our attorneys and consultants intending to dismiss and discredit their facts and findings other than to say that Ms. Oldford’s comments were misleading at best. We hope the County will engage in a thorough investigation of the issues associated with the proposed project, as outlined in the letter from our attorney.

We respect and participate in the agriculture of the Valley. All of the property owners on Ponti Road, who own sufficient acreage, grow grapes. Our concern is how to balance agriculture with the safety and security of the neighborhood. That balance will be permanently destroyed by the increased traffic, noise and congestion a winery creates. We support a considerate and sincere effort to address these concerns

Nancy Montgomery
1095 Ponti Road
Rutherford