

From: [Mark Armbruster](#)
To: [Hawkes, Trevor](#)
Subject: FW: call or meeting?
Date: Tuesday, September 14, 2021 8:39:30 AM

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Hi Trevor,

See email below from Kelly regarding closing evening events at 9pm

From: Kelly Fleming <dailywine@icloud.com>
Sent: Tuesday, September 14, 2021 6:28 AM
To: Mark Armbruster <mark@agd-landuse.com>
Cc: Jon Webb <jwebb@albionsurveys.com>
Subject: Re: call or meeting?

Mark

I reminded Jon of our conversation about the change in times. Those evening events on this new revision that have hours of 10am to 10pm should be changed. The new proposal is to have these same events begin to shut down by 9pm and have staff exit by 10pm.

Jon & I will support this and include in the hearing.

Kelly

From: Kelly Fleming <dailywine@icloud.com>
Date: Monday, September 13, 2021 at 11:19 PM
To: Mark Armbruster <mark@agd-landuse.com>
Subject: Re: call or meeting?

Mark

My wish is to have guests depart by nine and staff to finish cleaning up no later than 10. I will ask Jon Webb where this landed as it was what I requested.

Expect to hear from me tomorrow.

Thanks, Kelly

From: Mark Armbruster <mark@agd-landuse.com>
Date: Monday, September 13, 2021 at 4:59 PM
To: Kelly Fleming <dailywine@icloud.com>
Subject: RE: call or meeting?

Hi Kelly,

I just saw the August 12, 2021 letter that Jon Webb sent to the Planning Commission. I noticed there was no mention of beginning to close evening events at 9pm as we had discussed. Is that still part of your plan. Please let me know. Thanks.

Mark

From: kellyflemingwines.com
To: [Hawkes, Trevor](#)
Cc: [Jon Webb](#)
Subject: Re: Comments received as of EOD 9/13/2021 THE PHOTO images are not on Pickett Road (my opinion).
Date: Monday, September 13, 2021 7:06:21 PM

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Trevor

I seriously do not believe any of these images are on Pickett Road. The first one has a hillside of trees that are alive. Nothing survived the 2020 Glass fire. If the two white spots on the hills behind the truck are homes, this also doesn't fit our road. Levenstein's home is barely above the road by maybe 50-75' higher. Armbrusters home is the same height off the road-whatever the math, the only two homes built beside my parcel are the same height off the road. Another issue is the three power lines in the background running down the face of the heavily dense healthy tree slope. This is not where we all live and not a photo of my road. The major electrical lines that pass from Mr. Levenstein's parcel on the east side of Simmons canyon and land **above** my winery could be 500 feet higher and cross in a straight line over the canyon. This photo is somewhere else where trees are alive and the power line races down the hill and two homes are still surrounded by living trees.

Image 2 is not my land or any on Pickett Road. My vineyard on the front of Pickett Road has a line of Olives every 24 feet and Frediani vineyard is across the street. Pickett Road is a **paved**. All roads touching vineyard on my parcel are paved with blacktop. The only vineyard I had without pavement was close to my home and is hillside with slopes up to 30% (and it took me 6 years to pull this permit on this vineyard). The Glass Fire burnt this vineyard and I pulled this vineyard in May, 2021. I do not have a cement water tank along any roadway and Simmon's Creek was killed by the 2020 Glass fire. No dry grass as photo shows and any tree that did survive doesn't have limbs this low any longer.

Picture 3 is a truck.

Picture 4 is same truck watering a young vineyard. This could be anywhere but it's not me. I am not allowed to till any of my vineyards as the vineyards are all considered hillside, over 5% slope. This vineyard is tilled, clean and flat. It could be anywhere on the valley floor and anywhere in the world. I don't haul water, don't have any young vines and all watering when it does happen is underground in pvc piping.

Photo 5 is a dry creek. Simmon's creek is dry annually for 6-8 months a year. I doubt even this is on my parcel as the image has dried grass in the front right corner and something living across the creek. EVERYTHING burnt on my parcel in the 2020 Fire.

I would suggest you keep a file of these photos. They could show up in another protest by this individual.

If helpful, I can ask my 1.5 person staff from tasting room to take photos of every vineyard, hillside and the power lines on Tuesday (tomorrow).

Thanks for sharing.

Kelly

** notes from other letter will be sent next. Taking a break for dessert now.

From: "trevor.hawkes@countyofnapa.org" <trevor.hawkes@countyofnapa.org>

Date: Monday, September 13, 2021 at 6:52 PM

To: Jon Webb <jwebb@albionsurveys.com>

Cc: "kellyflemingwines.com" <kelly@kellyflemingwines.com>

Subject: Comments received as of EOD 9/13/2021

Jon,

Attached is all public comments received as of EOD today.

I am expecting, at a minimum, one more public comment from Robert Levenstein.

However I won't be in the office tomorrow. My away message will instruct persons sending public comments to forward them to the PC clerks. I've asked them to forward any updated final copy of the public comments document to you tomorrow at EOD.

Trevor Hawkes

Planner III

Planning, Building, & Environmental Services

County of Napa | 1195 Third Street, Room 210 | Napa, CA 94559

(707) 253-4388 | trevor.hawkes@countyofnapa.org

From: kellyflemingwines.com
To: [Jon Webb](#); [Hawkes, Trevor](#)
Cc: [Gallina, Charlene](#)
Subject: Re: Fleming Winery Modification
Date: Monday, September 13, 2021 9:16:45 PM

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Trevor

This letter is interesting. No one lives in this home at the intersection of Pickett Road and Rosedale Road. I thought it was abandoned. An old Airsteam trailer and old car sit in the SW corner of the property and have never moved. A white fence surrounds the tiny two houses and the swimming pool has no cover and no child protection fence. Annually someone plants a flower garden but no one stays to water it. One year I saw flags decorating the fence for the 4th of July. That's the history of occupancy that I have experienced since 2003 when I finished building my home on Pickett Road. Without anyone living on the property, I was not able to reach Mr. Krassner.

Seeing this letter from Mr. Kressler I am reminded of my meetings with Mr. Levenstein. Both meetings address his views on the major mod and included Mr. Armbruster name as opposing the major mod. I took my meetings with each of them and came to change my mod, in favor of the issues the neighbors had. Mr. Armbruster was on board with the modifications. Mr. Levenstein would prefer I close the doors and sell everything on line. Mr. Levenstein also told me he was the contact for the neighborhood and I should speak with him directly.

Hubert and Michele Verdeille live on Rosedale Road. The same road that the Four Season's is located on. My staff all travel from the south, living in Napa, Yountville and St Helena. These few cars don't use Rosedale to get to the winery because this road is north of the winery. I don't use Rosedale either. My farming by Mike Wolf travels on Pickett Road, his address is on Silverado Trail, north of Napa. Rosedale Road is the backside of the Four Season's where all delivery trucks will be off loading supplies. I look forward to guests walking to the winery or riding a bike here. The Napa experience of nice people visiting nice mindful neighbors and bringing revenue to the valley.

Christopher Kostow works for Meadowood and Bill Harlan. My winery does not have Mr. Harlan's cult status and prefers to continue to be known as a farmer with lovely wines. Mr. Harlan and Mr. Kostow have different visions than myself. Hiring consulting florist, entertainment and security is not my desire.

At the close of the last hearing It was suggested I reach out to Mr. Armbruster and Mr. Levenstein as their property touched my parcel. I did not contact any other neighbors.

Thank you for the notice on these letters.

Good night,
Kelly

From: Jon Webb <jwebb@albionsurveys.com>
Date: Monday, September 13, 2021 at 6:23 PM
To: "trevor.hawkes@countyofnapa.org" <trevor.hawkes@countyofnapa.org>
Cc: "kellyflemingwines.com" <kelly@kellyflemingwines.com>, "Gallina, Charlene" <Charlene.Gallina@countyofnapa.org>
Subject: Re: Fleming Winery Modification

Thank You Trevor

Sent from my iPhone
Jon M Webb

On Sep 13, 2021, at 2:44 PM, Hawkes, Trevor <trevor.hawkes@countyofnapa.org> wrote:

[Public Comment for P19-00172 received this morning.](#)

From: Michael Krassner <mkrassner25@gmail.com>
Sent: Monday, September 13, 2021 9:10 AM
To: Hawkes, Trevor <trevor.hawkes@countyofnapa.org>
Subject: Fleming Winery Modification

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Regarding **MAJOR MODIFICATION # P19-00172-MOD**
Pickett Road Wine Company / Kelly Fleming Winery expansion

Trevor,

Although there are changes from their earlier application, most of the points raised by myself (emails of June 1, 2021 and June 2, 2021 incorporated here by reference) and others including Robert Levenstein, and **Hubert and Michele Verdeille** in which I join, are not.

Aside from the ethereal meditative nature of the walk up Pickett to its end near

the winery, the increased traffic on a roadway with no lanes, and no shoulder to speak of is dangerous.

As pointed out at the hearing by Christopher Kostow, this traffic includes not just the visitors but staff for these events and the tours and tastings (none of which was addressed by Fleming or Planning Staff) including catering folk and other support elements (waitstaff, security, floral and décor, entertainment etc.).

Aside from the residents, the children, and pets, we see visitors walking and biking from the area and local resorts, which is sure to increase with the Four Seasons opening shortly.

This speaks to the need addressed in the Levenstein and Verdeille letters asking, in part, for an environmental impact statement highlighted by the complete avoidance of any discussion of this in the negative declaration.

Unfortunately, should the application be approved I fear we will likely see over time injury to people or animals along Pickett. To think otherwise is, at best, folly and worst a chimera.

Therefore we join others in opposing the approval of a Negative Declaration as to the project because of its inaccuracy, its inadequacy and its out of date assumptions on the Hydrology section, as well as the total lack of a Traffic Impact study for the Pickett corridor that was addressed in June.

Michael and Nicole Krassner

Michael L. Krassner
mkrassner25@gmail.com
415-624-4110

From: [Kelly Fleming](#)
To: [Mark Armbruster](#); [Hawkes, Trevor](#)
Subject: Re: PRWC Application Revision Memo
Date: Tuesday, September 14, 2021 12:04:11 PM

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Mark:

Here are answers to your items sent to the county:

1. Parking: The application and my proposal stated that we would require/suggest busing all event groups to property. The exception is staff needs to park on property. My easement (the road you travel on from the end of Pickett paved road to the corner of my parcel where Mr. Levenstein parcel, Jason Woodbridge parcel and Frediani parcel all touch, is not a parking lot for winery tasting appointments or events and will not be used for customer parking during events.

2. Marketing events will continue to take place in all areas that the winery has always used. These areas are the front patio, inside the building in kitchen and the tasting room, the covered patio and the upper patio and areas of wine making when we are touring our guests. The *additional* use of the cave for events is the new component. I look forward to hosting in here as this is a very special cave.

3. We can certainly contact you via email of upcoming events on the calendar.

***. We don't have time to modify the revisions but we will introduce the hours of operation for the evening events at the meeting tomorrow. Having guests leaving at 9pm and clean up staff leaving no later than 10pm.

Thank you,
Kelly

From: Mark Armbruster <mark@agd-landuse.com>
Date: Tuesday, September 14, 2021 at 10:41 AM
To: Kelly Fleming <dailywine@icloud.com>
Cc: "trevor.hawkes@countyofnapa.org" <trevor.hawkes@countyofnapa.org>
Subject: FW: PRWC Application Revision Memo

Kelly,

FYI, see additional comments I sent to Trevor yesterday afternoon.

From: Mark Armbruster
Sent: Monday, September 13, 2021 3:42 PM

To: Hawkes, Trevor <trevor.hawkes@countyofnapa.org>

Subject: RE: PRWC Application Revision Memo

I have comments on the conditions:

1. 4.12 Parking. The condition says no parking on access or public roads EXCEPT during approved marketing events. Kelly agreed there would be no parking on access or public roads during marketing events.
2. It was my understanding from Kelly that marketing events would take place in the cave.
3. 4.20 regarding notice to neighbors. I would like to be sure we are provided notice via email.

Mark