

CERTIFIED

NAPA COUNTY PLANNING COMMISSION

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IN RE: ITEM 9A  
GIRARD WINERY USE PERMIT #P14-00053-UP

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TRANSCRIPT OF VIDEO-RECORDED PROCEEDINGS  
MEETING OF DECEMBER 17, 2014

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PRESENT:

BOB FIDDAMAN, Chair  
HEATHER PHILLIPS, Vice-Chair  
MICHAEL BASAYNE, Commissioner  
MATT POPE, Commissioner  
TERRY SCOTT, Commissioner

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Transcribed by: Kathryn Johnson

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1 CHAIR FIDDAMAN: Okay. That brings us to Item 9A, the  
 2 Girard Winery Use Permit Number P14-00053-UP. And I might  
 3 comment at this point, that there have been at least two  
 4 requests for a continuance on this item. But I'm not inviting a  
 5 motion to continue at this point, since I know there are people  
 6 here who would like to comment on this. So, what I anticipate is  
 7 that we will start the Public Hearing, and then depending on the  
 8 will of this Commission, we may continue the item later, or not.  
 9 So.

10 DEPUTY DIRECTOR JOHN MCDOWELL: Thank you, Chairman  
 11 Fiddaman, that's exactly the way I was going to introduce the  
 12 item, was...

13 CHAIR FIDDAMAN: Sorry.

14 DEPUTY DIRECTOR MCDOWELL: ...to--how dare you steal my  
 15 thunder. [Laughter.] I was going to suggest that you hear the  
 16 Staff presentation to introduce the project, and then at that  
 17 point, hear testimony on whether to continue the item, and just  
 18 commence the hearing, and then as you move forward, make a  
 19 decision on whether to continue the item or not.

20 CHAIR FIDDAMAN: Okay. Thank you.

21 WYNTRESS BALCHER: Good morning Chairman Fiddaman, members  
 22 of the Planning Commission. Wyntress Balcher. The item before  
 23 you is a use permit to establish a 200,000-gallon winery, and to  
 24 construct a 37--approximately 3,700-square-foot winery building  
 25 on a 26.53-acre parcel located on the east side of Dunaweal Lane  
 26 near Calistoga. The subject parcel is located within the  
 27 agricultural resource General Plan designation area, and is  
 28 located within the Ag Preserve zoning district.

1 The proposed winery consists of a wine production area, an  
2 accessory office, hospitality area for by-appointment-only  
3 tastings for 75 visitors on weekdays, 90 visitors on weekends.  
4 Tastings are proposed in the tasting rooms, the winery garden,  
5 and the covered veranda. The concrete building will be 33-and-a-  
6 half feet in height with two cupola architectural features  
7 flanking the front façade with energy-efficient windows.

8 Nine events are proposed per year during the day. Eight  
9 with a maximum of 200 guests, one with 500 guests. The winery  
10 building will be located approximately 600 feet from Dunaweal  
11 Lane. Dunaweal Lane is a collector status road, and the required  
12 winery setback is 300 feet.

13 A 20-foot, four-wide access driveway will be constructed  
14 from the street, and will encircle the winery, which is located  
15 somewhat in the center of the parcel. Twenty-two parking spaces  
16 will be provided, including two with an electric charging  
17 station, and one visitor clean air vehicle space.

18 Girard tastings--Girard wines are currently being produced  
19 in Sonoma County, and a tasting room located in--and they have a  
20 tasting room located in Yountville. The applicant has indicated  
21 that the Yountville tasting room will remain open.

22 Development on the property includes approximately 12 acres  
23 of vineyards, and three process wastewater recycling ponds, a  
24 well, shed, and a filtration--a water filtration system. And the  
25 applicant, Vintage Wine Estates, also owns the winery on the  
26 west side of Dunaweal Lane, Clos Pegase Winery.

27 The process wastewater ponds are used by the Clos Pegase  
28 Winery, and the well on the property provides water to that

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1 winery for processing, visitors, employees and a residence  
2 through a transient non-community water system. The process  
3 recycle water is utilized for irrigation, [inaudible] on  
4 landscaping on both parcels. The water system permit will be  
5 updated to include connection to the proposed Girard Winery, and  
6 the Girard Winery will also be connected to the process  
7 wastewater recycling system.

8 The Phase One Water Analysis prepared for the project  
9 concludes that the water demand for the two wineries, their  
10 employees, and visitors, and the residence would be below the  
11 threshold established for the property.

12 The process wastewater system provides water for the  
13 irrigation of vineyards and landscaping, and the groundwater is  
14 not used. In addition to the process wastewater, captured  
15 rainwater, and vineyard sub-drain collection system provide  
16 additional water for the irrigation ponds.

17 A Mitigated Negative Declaration has been prepared for the  
18 project, where it is determined that there is a potential  
19 impact--there's a potential impact from the project on the  
20 intersections of Dunaweal Lane and State Highway 29 and the  
21 Silverado Trail. The applicant has incorporated into the project  
22 a change in the operational hours to allow arrivals and  
23 departure of the employees during the non-peak hour at the  
24 intersections. The marketing event, set up, arrival and  
25 departure will occur outside of the p.m. peak periods identified  
26 in the traffic study. In addition, visitors will be notified and  
27 signs posted to direct northbound visitors to use State Highway  
28 29 and the southbound visitors to use Silverado Trail to reduce

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1 the turning actions at the subject intersections.

2       Although this is a relatively large project, Staff is  
3 recommending--let's see. I lost my place, I'm sorry. Although  
4 this is a relatively...

5       DEPUTY DIRECTOR MCDOWELL: It happens to me too.

6 [Laughter.]

7       MS. BALCHER: ...while this is a relatively large project,  
8 Staff is recommending in favor of approval because the proposal  
9 includes substantial greenhouse gas offset features, potential  
10 impacts, traffic impacts, have been fully mitigated. Girard  
11 wines are presently being made in Sonoma County, and this  
12 facility would return Napa County fruit to production in Napa  
13 County. The project will be subject to the County's expanded  
14 housing impact fees. Visitation is within the scope of what has  
15 been approved at other similar facilities. Marketing is on the  
16 low end. The amount of visitation space is relatively modest in  
17 comparison to the amount of production. And the project requires  
18 no reductions or alternatives to winery zoning standards.

19       COMMISSIONER PHILLIPS: Wynthress, may I ask a question?

20       MS. BALCHER: Certainly.

21       COMMISSIONER PHILLIPS: When you say the project requires  
22 no reductions or alternatives to winery zoning standards, are  
23 you saying that it's because they don't need any kind of a  
24 variance?

25       MS. BALCHER: That's correct.

26       COMMISSIONER PHILLIPS: So, as a County we're recommending  
27 approval on the fact that it's--the baseline is that it's not  
28 asking for a variance as one of the reasons?

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1 MS. BALCHER: It's--we're within the Winery Definition  
2 Ordinance that they don't have to request a variance, so, we're  
3 saying that it's in compliance with the WDO.

4 DIRECTOR DAVID MORRISON: We know that variances have been  
5 a topic of great concern and consideration by the Commission  
6 over the past year, and there's been a great deal of public  
7 comment, and some criticism about the number of variances. We're  
8 just making a comment that this project does not require a  
9 variance.

10 COMMISSIONER PHILLIPS: That whole paragraph is actually  
11 interesting because I haven't seen that in a Staff Report before  
12 where we have given the County's reasons for why we are  
13 supporting it. Which is interesting, but it's also the County  
14 taking on some responsibility in, and defending its position,  
15 which is something that's new--haven't seen before. And one of  
16 the things that I found interesting are so many of the points,  
17 really, are, you know, should we really be holding them up,  
18 because they're things that would have to have been met for it  
19 to be brought--in order for it to even be brought to us. Like  
20 mitigated traffic. So, I thought it's an interesting approach.  
21 And so, I guess my question is, is this now going to be part of  
22 the Staff Reports, or was this just a kind of a one off?

23 DEPUTY DIRECTOR MCDOWELL: If I could dive in. I'm glad you  
24 asked that question. I've been frustrated at--it was my call to  
25 add that element to the Staff Report, and yes I do intend to--as  
26 I guess as long as I'm running the Planning Division here,  
27 intend to make strong recommendations one way or the other on  
28 projects from this day forward. Simply because I believe we, as

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1 Staff, owe it to the community and to the decision makers to put  
2 forth our rationale on why we are making our recommendation one  
3 way or the other. I've been frustrated at past meetings where  
4 we've put out a Staff Report that recommends in favor of a  
5 project where the applicant turns around and says hey your own  
6 Staff is recommending that this project be approved, yet our  
7 Staff Report doesn't give the rationale. In many cases we simply  
8 had carried forward what the applicant had proposed and not  
9 provided a strong basis of why we were saying to the Commission  
10 we think you should approve it. So, I'm trying to be more  
11 responsive to that...

12 COMMISSIONER PHILLIPS: Well I guess then the question is  
13 what constitutes a strong basis? So I think by pointing out that  
14 a project is not asking for a variance as a plus of a project,  
15 that that's a pretty low baseline to--in terms of a rationale,  
16 in my book.

17 DEPUTY DIRECTOR MCDOWELL: So, this is where we take  
18 direction from you. If you don't support our rationale, or you  
19 think it needs to be developed more, then I think this is at  
20 least creating a forum where that can be out on the table and we  
21 can row the boat in the direction that you're steering it.

22 COMMISSIONER PHILLIPS: Great conversation.

23 DIRECTOR MORRISON: I think that this is--well I would  
24 point out that this is--well perhaps this part of the Staff  
25 Report may be new, the concept certainly isn't. Every time the  
26 Commission approves a project, you're adopting findings. The  
27 findings are the reasons why you are adopting the project. So,  
28 in every case, the County is always, both Staff and the

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1 Commission, is stating the reasons as to why a particular  
2 project should be approved or denied. That's what findings are.  
3 We are just making that--expanding that conversation. This is  
4 something that the Commission has been doing, perhaps not quite  
5 as directly. Perhaps it's been more of an indirect conversation  
6 with regards to the findings, but this is something that's been  
7 part of the process all along.

8 And certainly as the issues go beyond in terms of winery--  
9 the consideration of winery use permits as the issues go on  
10 beyond the basic are they consistent with the County regulations  
11 or not, and is this a good project for the county, those  
12 conversations will become probably more frequent and whether or  
13 not a reason is good or not, or not good or good enough, or not  
14 supportable at all, is something that a majority of the  
15 Commission can decide.

16 COMMISSIONER PHILLIPS: No, and to that point, I appreciate  
17 this, I hadn't seen it before, which is, you know why I wanted  
18 to--was inquiring about it and...

19 DIRECTOR MORRISON: It's standard practice [admittedly].

20 COMMISSIONER PHILLIPS: ...and I do understand that it is  
21 just a different iteration of the findings. So.

22 DIRECTOR MORRISON: It's a more explicit description of the  
23 process that's already been occurring.

24 COMMISSIONER PHILLIPS: Mmm-hmm.

25 DIRECTOR MORRISON: And pretty standard practice in many  
26 jurisdictions.

27 CHAIR FIDDAMAN: Commissioner Scott.

28 COMMISSIONER SCOTT: Well, David, I assume that the Staff's

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1 slight change here in procedure is a preamble to what we will  
2 receive in your presentation to the Joint Planning Commission  
3 and Board of Supervisors meeting that has been proposed in  
4 March. Where if we're going to see a change in policy direction,  
5 or what have you, that obviously that needs to come from the  
6 Board of Supervisors. And in our joint meeting I would hope that  
7 we would hear what your recommendation is in that regard.

8         DIRECTOR MORRISON: Well, I appreciate that, but actually  
9 the presentation in March is going to be more of a table-setting  
10 exercise in terms of talking about what is the most current  
11 factual analysis of what is going on in Napa and the region both  
12 in the environment and in the industry. The resolutions to any  
13 concerns that come out of that meeting will be addressed in a  
14 subsequent, more broad community forum. The--because these are  
15 very important issues that affect most of the residents of Napa  
16 County, both in the cities, and in the country, but also--and  
17 I'm not picking on any projects in particular, but, just for  
18 illustration purposes only, people have said, well, Yountville  
19 Hill goes too far, it crosses the line. What's the line? It's  
20 not based in regulation, it's not necessarily clearly explicit  
21 in policy, where is that line, or the chrome rabbit or the  
22 Ca'Nani gate entry crosses the line. Where is that line? I  
23 suspect they're talking about areas where we're in a fairly gray  
24 part of policy interpretation where those lines, if they're  
25 going to provide--if the public is going to have assurance about  
26 what the rules are, and what is allowed and isn't. And if the  
27 industry is going to be making investment decisions in terms of  
28 providing applications about what the rules are or aren't, we're

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1 going to have to make those lines more distinct and sharp and  
2 put some clarity to where that line is so people--we can't hold  
3 people accountable for not crossing the line if we can't tell  
4 them where the line is. And certainly the Planning Commission  
5 can take some of these issues into consideration in their  
6 decision-making.

7 But these are issues that are outside of existing  
8 regulation and policy. The regulations are not caught up to the  
9 events that are--and the concerns that are continuing.  
10 Government moves much slower than public opinion.

11 CHAIR FIDDAMAN: Well, I think it's a very helpful  
12 question, Commissioner Phillips, that you raised.

13 COMMISSIONER PHILLIPS: And I have one last question on  
14 something that I had never seen in a Staff Report either. It was  
15 the term, "collector status" road. What is the definition of  
16 collector status road? I've never seen that before.

17 DIRECTOR MORRISON: It's more than a local road and less  
18 than an arterial. [Laughter.]

19 COMMISSIONER PHILLIPS: More than a local, less than an  
20 arterial. Okay, so it's--is there--okay.

21 DIRECTOR MORRISON: I was being facetious.

22 MS. BALCHER: The reason I put it in is based on the fact  
23 that in terms of the winery setback, it's the arterial roads,  
24 the state highways, and this was a collector status road so its  
25 setback was 300 feet, so I used collector status because it's  
26 defined as...

27 COMMISSIONER PHILLIPS: See. Bob pointed out that I have  
28 been on the Commission for seven years, and you learn something

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1 new every day, every meeting you can learn something new.

2 DEPUTY DIRECTOR MCDOWELL: This is the wonderful thing  
3 about having Wyntress back on the Staff here is return of  
4 institutional knowledge. When did you first start with the  
5 County?

6 MS. BALCHER: 1988.

7 DEPUTY DIRECTOR MCDOWELL: 1988, so we have somebody on the  
8 Staff now, because when we lost Bob Nelson we lost a lot of  
9 institutional knowledge because he was here through the original  
10 Winery Definition Ordinance debate back in the 80s, and all  
11 through the period after that. So, yeah, sure enough, collector  
12 status road, it's in the Zoning Ordinance and in the General  
13 Plan as the dividing line between the 300-foot setback and the  
14 600-foot setback.

15 [COMMISSIONER BASAYNE]: In fairness I'd like to add that  
16 she has used that term previously when she worked for the  
17 County. So. [Laughter.]

18 DIRECTOR MORRISON: Basically it was a classification  
19 system of major freeway, minor freeway, major highway, minor  
20 highway, arterials, major and minor collectors, major and minor  
21 local roads. And it all depends on how many lanes a road has,  
22 how wide the lanes are, what the width of--whether there's a  
23 presence of a shoulder, how wide the shoulder is, what the  
24 designated safe highway speed--or driving speed is. It's part  
25 of--these are terms regularly used in traffic analysis, which  
26 the Commission may not have gotten into in the past, but I can  
27 almost guarantee you, you will all become much more familiar  
28 with in the coming year.

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1 COMMISSIONER PHILLIPS: And I appreciate that. Thank you.

2 CHAIR FIDDAMAN: Okay, any other questions per Staff?

3 Seeing none I'm going to open the Public Hearing and invite  
4 comments from the applicant's representative.

5 HEATHER MCCOLLISTER: Good morning Commissioner Fiddaman,  
6 how are you, and other Commissioners?

7 CHAIR FIDDAMAN: Welcome back.

8 MS. MCCOLLISTER: Thank you, sir. My name is Heather  
9 McCollister; I live at 1512 D Street, Napa, California, 94559. I  
10 don't really have much to say this morning, but I'd like to  
11 thank Staff for their time and effort in getting us to this  
12 point. It's been kind of a long journey for us. We support  
13 everything Staff has presented to you today, and I realize  
14 neighbor concerns. We've had extensive outreach to the  
15 neighbors. And at this point we, of course, would like to move  
16 forward from our business perspective. And that's all I really  
17 have. If you have questions for myself, we have our team here  
18 today, and I think Pat Roney would like to elaborate a little  
19 bit on our outreach and where we got to today. So.

20 CHAIR FIDDAMAN: Yeah, I was going to say, either you or  
21 Mr. Roney might comment on the idea of a continuance at this  
22 point so we're with you.

23 MS. MCCOLLISTER: Sure. Yeah. Of course we'd like to proceed  
24 and move forward and get an action today. But I'll let Mr. Roney  
25 elaborate on the reasons and the business model we have for  
26 that. So.

27 CHAIR FIDDAMAN: Ok. Thank you.

28 MS. MCCOLLISTER: Great, thank you.

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1           PATRICK RONEY: I'd like to say good morning to everybody  
2 and thank you for taking the time and we're happy that in this  
3 process and this journey that we've gotten this far. We'd like  
4 to--we submitted the application initially in April, and in July  
5 we thought we were to the point that we were going to have a  
6 hearing in August, and we actually started the process of  
7 noticing our neighbors. And in July we met--invited all the  
8 neighbors across the street to Clos Pegase Winery, one of our  
9 other wineries, and Norma was actually there at the time as  
10 well. And we showed the plans and showed what our intents were.

11           Unfortunately for a variety of reasons we had to tweak a  
12 couple of things in August, so we didn't make that date. We  
13 thought we were going to get on in November, and got a couple  
14 more delays. But then we finally were fortunate enough to get  
15 this hearing.

16           So, in the process, we understood that Norma was looking--  
17 was--had some concerns again, so we reached out to her again,  
18 and we requested that we meet with her. Which we did--we were  
19 finally able to meet on Friday when she was back in town last  
20 week. We promised her complete transparency on everything.  
21 That's kind of the way that we like to operate. We want to be  
22 good neighbors.

23           She requested a fence around the property. We agreed we'd  
24 be happy to pay for a fence around the property. She had  
25 concerns about some of the water and other things we offered her  
26 100 percent access to all of our consultants and we got her on  
27 that day everything that she didn't have already from the  
28 County, although she had already had the water and other things

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1 that had been in public record back since July of last year,  
2 actually, even May of last year.

3 And so we have proceeded in good faith. We told her that  
4 she could reach out to have her consultants reach out to any of  
5 our consultants. As of last night, nobody has reached out to any  
6 of our consultants. But we do have them here today again so that  
7 they can answer any questions that anybody wants.

8 From a financial perspective it costs me about 25,000  
9 dollars a month for every month that we delay just because I'm  
10 in a lease facility, and there are impacts to us to the delay.  
11 So naturally, we're financially motivated to want to proceed.

12 Also, we've delayed re-planting a vineyard on the parcel  
13 because we don't know for sure where the winery driveway is  
14 going to be, and if there are going to be any changes to that.  
15 We'd love to get that vineyard planted so we don't lose another  
16 year of harvest. But those are business implications. And we'll  
17 certainly respect any decision that the Planning Commission  
18 wants to make in terms of moving forward or a continuance. But  
19 that's kind of how we're looking at it. Thank you.

20 CHAIR FIDDAMAN: Thank you. Any questions for Mr. Roney?

21 [STAFF]: Excuse me, sir.

22 COMMISSIONER PHILLIPS: Your name and address for the  
23 record.

24 CHAIR FIDDAMAN: I'm sorry, we forgot to ask for that.

25 MR. RONEY: I'm sorry. Okay. Yes. My name is Patrick Roney.  
26 My personal address is 3959 Sky Farm Boulevard in Santa Rosa,  
27 California. We actually do business in both counties. We've got  
28 three wineries here in Napa that we own. We have about 100

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1 employees in Napa, and another 250 in Sonoma. So, we're excited  
2 about the wine business and excited about continuing to be good  
3 shepherds to the land and partners for everybody.

4 CHAIR FIDDAMAN: Thank you.

5 COMMISSIONER BASAYNE: I have one question as well.  
6 Regarding the--understand that the proposal is to bring some of  
7 the wine production that is currently taking place in Sonoma  
8 back to Napa. Is this Napa fruit? Would you explain that in a  
9 little bit more detail?

10 MR. RONEY: Yes. Girard Winery--actually this is the 40<sup>th</sup>  
11 year that Girard has been making wine. So we've kind of had a  
12 history in Napa for quite some time, one of the original  
13 wineries back in 1974. In the process of 1995 the winery was  
14 purchased by my partner, Leslie Rudd, who has since renamed that  
15 winery as Rudd. We kept Girard going and we were kind of orphans  
16 for a while. We actually started making our productions at Bob  
17 Pecota's winery, which is now owned by Kendall Jackson, and then  
18 we moved to another up to Pritchard Hill, the old Harrison  
19 Winery, and we continued to grow there, and then they sold that  
20 property and so we got orphaned and we've leased a 40,000-  
21 square-foot facility in Sonoma where we currently make our  
22 wines. We've been making wines there for seven years.

23 About 95 percent of our production of 60,000 cases is Napa  
24 fruit. We have--we're totally committed to Napa. We have a  
25 chardonnay that's Russian River chardonnay. But, at this winery  
26 we will make probably 95 percent Napa Valley wines in that  
27 facility. And we have--we own vineyards and we have contracts  
28 with growers that we've had for 20 years. And so we're kind of

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1 excited about finally getting, hopefully finally getting back to  
2 Napa and having Napa as our home.

3 COMMISSIONER BASAYNE: Thank you.

4 CHAIR FIDDAMAN: Given that history, and I can't recall  
5 exactly what the requirements are, but are you still able to,  
6 even though your wine's been made in Sonoma County for some  
7 time, are you still able to label it as a Napa Valley wine?

8 MR. RONEY: Oh yes. Because it's Napa Valley fruit.

9 CHAIR FIDDAMAN: It is--fruit. Right.

10 MR. RONEY: It qualifies as--it is Napa Valley. It's 100  
11 percent Napa Valley wine. So, the requirements in terms of where  
12 you produce the wine or where you bottle the wine are not--do  
13 not affect what type of wine it is, or how you have to label it.

14 CHAIR FIDDAMAN: Right. Okay. Thank you. All right. Anyone  
15 else?

16 NORMA TOFANELLI: Norma Tofanelli. Dunaweal Lane,  
17 Calistoga. We have a difference in how we see this. We would ask  
18 you, we continue to ask you, for a continuance. When we were--  
19 first became aware of this project my mother and I were not  
20 directly approached. We are the immediate neighbors to both  
21 properties. My brother received a notice at his winery website  
22 of a meeting that they were having with the neighbors. I was out  
23 of town. I was able to attend that meeting for a short time on  
24 my way to another meeting.

25 I then met with Wyntriss to find out what was available,  
26 what the project was. And it was originally scheduled for a  
27 hearing on August 20<sup>th</sup>. And we were aware that that was the  
28 potential. However, when I met with Wyntriss that had been

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1 changed. And I received a conversation and communication email  
2 from Wyntress saying that a new hearing date is not yet set  
3 since it appears they might need to provide additional  
4 information to complete the application. We will let you know.

5 So, I realize with the earthquake, etcetera, this was on  
6 August 11<sup>th</sup> that I received this information from the County. So  
7 I anticipated where the documents were final. There is no point  
8 in hiring experts to review documents that are not final. As you  
9 know, that costs a great deal of money.

10 So, we are very concerned about the water. We want the  
11 opportunity to have our hydrologist look at the data. We have  
12 not given them the go ahead to proceed because we do not know if  
13 you will continue. If you do not continue we will then appeal to  
14 the Board to be able to get our data and our comments, informed  
15 comments, into the public record. Because as you are well aware,  
16 if there are any difficulties in the future, you must have your  
17 concerns in the public record, so we hope that record is not  
18 closed to us today.

19 We had a very nice conversation, our first one directly  
20 with the winery personnel, with Samantha and Pat Roney on  
21 Friday. They were very gracious. And Mr. Roney did provide  
22 access to his engineers, however; again, it's not prudent for us  
23 to spend a lot of money having our experts contact his experts  
24 if you're not going to continue, because we don't know where we  
25 are.

26 And I differ with Mr. Roney's view. He is willing to work  
27 with us, but he urged us to let the use permit move forward and  
28 then work out our conversations later at the building permit

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1 process. That's, in my experience, not a wise way to proceed. It  
2 is best to take the opportunity to work out any differences and  
3 come up with, perhaps, better mitigations so that we move  
4 forward without arguing once the use permit is granted. So,  
5 again, we are the immediate neighbors. We have been there for  
6 over 85 years. We dry farm. We are very concerned with the water  
7 issue.

8         And just one comment on the Staff Report. I am surprised  
9 that the County says they have no history of any concerns for  
10 water shortage in our area. The history of documents that I have  
11 been turning in to the County go back to the WDO. And if you  
12 look at the FEIR for the WDO, Environmental Management at that  
13 time pointed out in the FEIR for the WDO that there were so many  
14 concerns in the Dunaweal Lane area for water that it was a  
15 subject--should be a subject for study in the future. That has  
16 never occurred.

17         So we are concerned that there has not been a full  
18 appraisal of the water circumstances. We may have more  
19 information than the applicants do because they are new to the  
20 area. And we have watched the process of Clos Pegase and the  
21 water issues that that winery has had since it was built in  
22 approximately '85. So, we would like that opportunity to be able  
23 to present our concerns, and perhaps work out more details with  
24 the winery so that we have a better project moving forward.  
25 Thank you for your consideration.

26         CHAIR FIDDAMAN: Thank you. Any other speakers?

27         GARY MARGADANT: Good morning Commissioners. This is Gary  
28 Margadant from up on Mt. Veeder Road. I know this is for a

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1 continuance, and that's what we're supposed to be speaking to,  
2 but part of the reason that I would like a continuance is to  
3 have a little more time to look at this project, and try to  
4 understand about--more about the traffic and the greenhouse  
5 gases on this.

6 CHAIR FIDDAMAN: I might point out that the hearing is  
7 open. The topic is not just continuance.

8 MR. MARGADANT: Okay.

9 CHAIR FIDDAMAN: It's general comments on the project.

10 MR. MARGADANT: Okay. Well thank you. Thanks for that  
11 clarification. This is unusual, I mean, across the street, you  
12 know, is a winery of 200,000 gallons from this project. And why,  
13 why don't they just increase the size of Clos Pegase rather than  
14 put this winery in across the street. There's going to be  
15 vineyards that are going to be removed. So, all of a sudden, you  
16 know, the agriculture is going to disappear over there and  
17 you're going to put a fruit processing plant in place. And this  
18 fruit processing plant is just going to be a tip up. It's going  
19 to be a warehouse, square box structure, with a couple of  
20 turrets on the end of it.

21 A long time ago they started to put all of these warehouses  
22 down on Green Island Road and avoid the traffic up valley. And  
23 so we just don't understand, you know, for greenhouse gases,  
24 there's going to be a lot of traffic, people coming up there,  
25 there's going to be tourists coming up there. We just don't  
26 understand why this project is, you know, it's just another,  
27 another events center that's going to be put in the valley. And  
28 all along Dunaweal Road there's so many wineries there already

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1 that's very, very large.

2 And so, it's just like it's packing them in. You're going  
3 to make a strip mall right there of just wineries. And you're  
4 going to have people, you're going to have traffic, you're going  
5 to have greenhouse gas stuff--problems. And we'd like just to  
6 see a review of that. Is this something that you really, really  
7 want to do up there? The--and putting just a cheap warehouse  
8 structure on the property, well that's just putting lipstick on  
9 a pig for me.

10 So, I would urge the Commissioners to go back and have a  
11 look at this and see if this is really something that's going to  
12 really add value to Napa Valley. I just--it's a question in my  
13 mind as to whether that's really going to happen here, or if  
14 it's just going to be another place of business that's going to  
15 take some agricultural land out and have this structure on it.  
16 Thank you.

17 CHAIR FIDDAMAN: Thank you, Mr. Margadant.

18 VINCE TOFANELLI: Good morning Commissioners. My name is  
19 Vince Tofanelli, 17555 Ida Clayton Road, Calistoga. I've been--I  
20 grew up in that area that we speak of. I've been farming my  
21 family's grapes for the last 40 years, actually 45 years. Time  
22 flies. I've watched that area of Dunaweal go from a farming  
23 community of dry farm grapes to, really, a winery-concentrated  
24 area. I saw Sterling go in, I saw Cuvaison go in. And when those  
25 wineries would come in, I was concerned about the fact that I'm  
26 still dry farming grapes that my neighbors have pulled out  
27 theirs and gone to irrigation. So, and over the years, Clos  
28 Pegase, you know, all the other ones, Twomey, have come in, and

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1 every time I wonder is this the one? Is this the one that's  
2 going to put the tipping scale over to where my grapevines won't  
3 be able to find the moisture they need to continue?

4 So the question--and I put my trust in your decision-making  
5 skills. And because my grapevines, the 85-year-old grapevines  
6 can't come down here, they also, I think, convey that to you--  
7 to--is this--where is the tipping point where we pull too much  
8 water out of the aquifer?

9 So that's my main concern here. The second concern is  
10 egress and ingress. The traffic on Dunaweal has gone from a  
11 country road where you can take your tractor across it and drive  
12 up and down it without fear of collision. To it--it might be a  
13 collector but it's handling quite a lot of traffic for a small  
14 road. So thank you.

15 CHAIR FIDDAMAN: Thank you.

16 CHARLOTTE WILLIAMS: Good morning. Charlotte Williams,  
17 Calistoga. Regarding this winery proposal, and as Mr. Morrison  
18 noted earlier, a possible meeting in March, I believe, about the  
19 WDO and traffic issues in the Valley. This seems both those have  
20 a lot to do with this Girard Winery. I appreciate the pressures.  
21 I think, actually, I appreciate the pressures that the Planning  
22 Commission is under. However, every parking lot, every crush  
23 pad, every driveway, every housing project does pave over the  
24 Napa Valley. And there are very few parcels in the Valley that  
25 cannot be turned into some form of winery production at this  
26 point.

27 So, I think it would be a really good idea for the County  
28 and the Planning Commission to come up with some sort of plan to

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1 make sure that this valley does not become completely paved  
2 over, incrementally, just as we age gray hair by gray hair,  
3 wrinkle by wrinkle, pretty soon we're dead. Will this valley  
4 pretty soon turn into what is now called Silicon Valley instead  
5 of Santa Clara Valley? Which, at one point was natural and then  
6 became highly agriculture, and then is pretty well paved over  
7 now. So, it seems like it would be a good idea now--now, before  
8 we lose this valley inch by inch, parking lot by parking lot,  
9 driveway by driveway, crush pad by crush pad. And it becomes not  
10 agriculture, not natural land, but commercial. Grapes can always  
11 be grown someplace. And as somebody said to me not too long ago,  
12 we introduced ourselves as from the wine country, and he said to  
13 me, huh, what's not the wine country in California. You can grow  
14 grapes pretty much anywhere. So we're losing, we're losing  
15 what's special about this valley, as Mr. Margadant said. Every  
16 time we put in a commercial facility and take out Ag land.

17 And I--and really, the water table, the water table, what  
18 is happening with that water table? What is happening with the  
19 traffic? The city of Calistoga approved two resort projects,  
20 hardly more than half a mile from the location of this winery.  
21 If those projects go in, what's going to happen with the traffic  
22 on the intersection of Dunaweal and Silverado Trail, Dunaweal  
23 and Highway 29? We're already at a failed--we have a failed  
24 intersection, I think less than a mile from the intersection of  
25 Highway 29 and Dunaweal Lane. What will this add to that failed  
26 intersection? The traffic's already backing up quite a ways  
27 there most days.

28 So, I'm requesting a continuance on this and I really hope

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1 that the Planning Commission, the Planning Division, everyone in  
2 this Valley that has anything to do with preserving what this  
3 Valley already has, will get to work on this soon. Thank you.

4 CHAIR FIDDAMAN: Thank you.

5 CAROLYN CZAPLESKI: Good morning. My name is Carolyn  
6 Czapleski, and I'm at 1016 Dunaweal Lane, Calistoga, California.  
7 I am also a neighbor of Clos Pegase and the soon Girard Winery.  
8 And my husband and I would like to make some points. We've been  
9 here only 32 years and our neighbors point that out to us at our  
10 mailbox quite often that they've been here many more years. But  
11 in that time we've come to love our land. We dry farm, we've  
12 always dry farmed. Our vines are about 85 years old, our zin.  
13 And we are very fortunate that we have a sump pump. We do have  
14 some other wells.

15 So the sump pump allows us to open it when we want and look  
16 down and see where that water table is. And lo and behold we had  
17 a drought this year, and that water table never went below 23  
18 feet. That's nothing scientific. But I know that people are  
19 concerned about the water. We're definitely concerned about  
20 water. We are surrounded by new wineries, but we are so  
21 fortunate to have very wonderful neighbors, like Girard, and Pat  
22 Roney, and Samantha Rudd. They've been very transparent to us  
23 when we've had questions, they've responded to us. And just to  
24 point out, we have known about this for, oh probably since May  
25 of 2014. And at that time--and I hate to point a finger at  
26 Vince, I mentioned to Vince at your mailbox that Girard was  
27 going in, and that you might want to mention it to your sister.  
28 And so if you have been--maybe--I don't know if Vince never

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1 mentioned it to you, but I did speak about that to you.

2 The traffic on Dunaweal and Silverado Trail, we're on 25  
3 acres. We're the ones who are going to be impacted the most,  
4 we're right at that corner. And we have watched traffic come and  
5 go, but you know when the water--when Calistoga Water left the  
6 area we didn't have as much trucks, so we don't have any noise,  
7 traffic doesn't seem to be a problem in our area. And, you know,  
8 we're for this project. And I think they put a lot of time and  
9 material into the project, and getting in touch with neighbors,  
10 and so the frustration I think that they're feeling we're  
11 starting to feel. It's a good project for us, we think.

12 And one of the points that I think that someone brought out  
13 was the vineyards being torn out. It's our understanding that  
14 there are no vineyards going to be taken out. The area right now  
15 is fallow land and it has been probably for seven years.

16 [UNKNOWN]: No.

17 MS. CZAPLESKI: How long has it? Okay, maybe five years?  
18 Okay. Five years. The previous owners of Clos Pegase removed  
19 those. The other thing is it actually is two parcels, Clos  
20 Pegase is one parcel, and the new Girard area is another parcel.  
21 So they seem to meet those qualifications. It's over 25 acres  
22 that they have for this new winery. And I've spoken with a  
23 number of our neighbors, and we've had them to our home to talk  
24 about it, to hear if any of our neighbors had any concerns. If I  
25 had known that we were going to need to bring in signed letters,  
26 I probably would have gone around to my neighbors and had them  
27 sign.

28 We've had a few neighbors call us directly and want to know

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1 about the parties who were complaining about it. And I just have  
2 tried to answer as best I can the information, and have given  
3 out the letter that the County has. I'm rambling, and I'm sorry.  
4 But, we are, you know, very concerned, it's our neighborhood, we  
5 love it, we've been there 32 years. Our son's 28, he's now  
6 working on the property full-time. So, it's definitely--we're  
7 going to be there for some time. But I think the time has to  
8 come to let Girard go ahead and become our neighbor full-time.  
9 Thank you.

10 CHAIR FIDDAMAN: Thank you.

11 COMMISSIONER PHILLIPS: I have a question after that last  
12 speaker. And that's the whole--what I had a problem  
13 understanding is how the transient non-community water system  
14 works, and how you have two separate parcels, yet they are  
15 dependent upon one another for services, and why the parcels  
16 were not merged?

17 CHAIR FIDDAMAN: Actually--and we'll let Mr. Tofanelli  
18 speak in a minute, but I think Staff's going to have to respond  
19 to that, and I had similar questions. And it did look--I think  
20 you're the one who asked us to be sent the original...

21 COMMISSIONER PHILLIPS: The original use permit.

22 CHAIR FIDDAMAN: ...use permit and it looked like at that--  
23 at some point in time it was all one parcel. So one of my--well  
24 that's what it shows in that--in what you sent us, so, or at  
25 least it was all outlined in black so it looked like one parcel.  
26 And my question was whether it was split off or not.

27 COMMISSIONER PHILLIPS: Okay. Agreed.

28 CHAIR FIDDAMAN: But why don't we get to some other Staff

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1 questions after we've heard a little bit more, if we have other  
2 speakers. Mr. Tofanelli, go ahead.

3 MR. TOFANELLI: Thank you. Just point of clarification, the  
4 last speaker--I just didn't want it to be on record that I'm  
5 complaining about this winery. I'm just concerned about the  
6 wisdom of approving it and hope that you do your best in  
7 achieving the right decision.

8 But the other thing, just, we also have kind of technically  
9 a sump. We have a hand-dug well on the property that was 14-foot  
10 deep. And that supplied us water and my grandparents' water,  
11 primarily, they had the well dug. Up until the--let's see, '78,  
12 and '79 where the water began going down. And now in this  
13 drought it's below 14 foot. So it's dry. So, I guess the only  
14 point, just for the record, it has--the water table has gone  
15 down. Whether it's gone down dangerously low, but just for  
16 clarification. That's all.

17 CHAIR FIDDAMAN: Thank you.

18 MS. TOFANELLI: Norma Tofanelli, Dunaweal Lane. Just again,  
19 point of clarification. As I stated, yes, we were aware of the  
20 project and worked with the planner. But was advised by the  
21 planner that final documents were not available. We made a  
22 financial decision at that point not to review documents which  
23 were not deemed complete by the County. And I was advised, and  
24 if you would like a copy of the email, that we would be advised  
25 when final documents were prepared. And I don't want to make a  
26 stickler point out of that. I know we all suffered through the  
27 earthquake, and I know what it's like to re-juggle meeting  
28 schedules, going back and forth to files, hoping you've brought

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1 the right file with you, and then having to go back to your  
2 original office, going through boxes looking for files.

3 So I do not fault anyone, I'm merely stating the facts and  
4 why we are asking for a continuance to have the opportunity to  
5 comment and continue to work with the winery personnel to  
6 perhaps work out a better project and be able to be in  
7 agreement. For example, the fence. Mr. Roney wants to work on  
8 the fence issue at the building permit time. We believe that  
9 must be worked out before the use permit is issued. We don't  
10 want to have a use permit and then have to argue out points that  
11 could have been worked out more amicably through this process.  
12 Thank you.

13 CHAIR FIDDAMAN: Thank you. Any other speakers? Okay. I'd  
14 like to bring it back to the Commission where I think we might  
15 throw out a few more comments and questions. I have some  
16 comments and questions for Staff myself. And then we can have a  
17 discussion about continuance, or not.

18 So, I would first, before making my own comments, raising  
19 questions, invite other--my colleagues here to raise any  
20 questions they might have at this point. Seeing none I'll just  
21 mention a couple that I have.

22 I was--in looking at this project, I noticed that the new  
23 facility, which is the same size production, 200,000 gallons, is  
24 39,000 square-feet, and the existing Clos Pegase Winery is  
25 listed as 24,000 square feet. And so I'm curious as to why this  
26 facility would need to be on the order of nearing twice as big.  
27 And so that brought the question up of whether the 24,000 square  
28 feet that was listed for Clos Pegase includes the caves, or all

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1 of them. Because I believe, at one point, that the information  
2 we--I think the information we have received about the Clos  
3 Pegase use permit was it looked like it was a modification to  
4 the original use permit. So it was kind of unclear. So I'm just  
5 raising this as a question that I'd like Staff to clarify for us  
6 so that we have an understanding of what the respective size of  
7 these two wineries would be from a physical standpoint.

8 And then also I noticed in the Staff Report that--and I  
9 think it was brought up in a letter from--maybe it was from  
10 Mount Veeder, there's a few corrections that might need to be  
11 made in the Staff Report in terms of sizes of things. And the  
12 parcel size for this parcel is listed at various places as 23  
13 acres or 26 acres. So I'd like to see that clarified.

14 I would also like to hear comments from the applicants  
15 about whether or not they would intend to become a green winery  
16 at some point. In the checklist for best practices that was not  
17 checked off. So, I guess I would have to say to the applicants  
18 that in the climate that we're in today, in terms of attitude  
19 toward new winery growth, that everything is getting a very  
20 careful look. And frankly I think for the Staff to have included  
21 their rationale for recommendation for this project, I think  
22 that's helpful to this Commission. I've almost always, when I've  
23 looked at anything controversial, I've made a list of pros and  
24 cons. I think it would be hard to ask of Staff to give us a list  
25 of cons, but this does at least start on a list of pros.

26 And I guess I would have to say my own comment at this  
27 point since I won't be here for a future look at this, would be  
28 that this actually looks like a very good project to me. But,

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1 there are some questions that need to be answered. The issue of  
2 traffic has been raised, and I would have to say the report, as  
3 I read it, is pretty favorable about the existing traffic  
4 conditions in this area. Lots of level of service intersections  
5 at A or B, there might be one C, as I recall, close by. But  
6 traffic on Dunaweal Lane is not bad. I live up in that area  
7 myself, and that would be my own experience.

8 But I do recall Norma Tofanelli raising issues and concerns  
9 about water in the past when we've had past applications, and I  
10 would like to hear that. And I would like to hear if there are  
11 concerns raised if they bring a hydrologist in to do a study.

12 So, my own thinking is that given where we are in the world  
13 today in this Valley that I don't think we've paved over yet,  
14 and aren't anywhere near doing that, but I think it wouldn't  
15 hurt at all to have an extension for 30 days. So, I would invite  
16 other Commissioner comments.

17 COMMISSIONER POPE: Okay Mr. Chair? Along the same lines,  
18 as we've talked about a number of times in these meetings, we're  
19 in kind of the--seems to be sort of a new normal now, a new  
20 reality in terms of the amount of time and scrutiny that each  
21 project gets, particularly in terms of winery development. And  
22 we are sort of in on top of each other now, which makes the  
23 ability to co-exist with the neighbors that much more essential.

24 You know, a lot of stuff gets brought up in these hearings  
25 now, and there was a suggestion--I know the comparison was made  
26 between the Napa Valley and the Silicon Valley, Santa Clara  
27 Valley where I used to live before moving up to Napa County.  
28 And, you know, I used to have those same thoughts driving around

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1 Santa Clara or Silicon Valley. That on the one hand it's cool  
2 that the global high technology industry is there now and it  
3 developed out of that area, but on the other hand even before I  
4 ever heard of, you know, serving on a Planning Commission, or  
5 any of Napa County's issues, or agricultural preservation, I  
6 remember just thinking to myself it is sad, though, to think  
7 that this is some of the best Ag land in the world that's been  
8 paved over and lost forever. And, you know, my father grew up in  
9 San Jose and remembers when the clock tower downtown was the  
10 tallest structure.

11 And, but, there's also, you know, there's kind of a  
12 difference as to why Napa Valley is the way it is and Santa  
13 Clara Valley is the way it is today. And it's a--I'm not putting  
14 a value judgment on this as good or bad, I think it's just kind  
15 of the reality of the world that we live in. Due to some smart  
16 thinking in 1968, and again in 1990, it was figured out a way to  
17 make agricultural land very valuable here in Napa Valley, and  
18 more valuable than ripping it out and selling it for strip  
19 malls, or corporate campuses, or housing, or other things  
20 through the Ag Preserve and other methods. And that may not  
21 necessarily have been completely what the motivation was, but  
22 it's worked. And, you know, I think that has to be, kind of, an  
23 important consideration of the decisions that we're making that  
24 we found a way to keep Ag land valuable as Ag land, because it  
25 was, seeing as there was pressure all around California where  
26 farmers were saying I could make a lot more money if I just sell  
27 my land to a commercial real estate developer, or a housing  
28 developer. So we found a way to preserve that, you know, that's

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1 brought its own set of challenges, and it's something that this  
2 Commission has to consider carefully.

3 But, in this particular case, yeah we've heard some of  
4 these issues before going back many years, even before we got  
5 into some of these discussions we're having now about cumulative  
6 impacts, concerns on Dunaweal Lane. When we talk about the idea  
7 of a continuance, I don't want to say something as flippant as I  
8 have no problem with a continuance, because to Mr. Roney's  
9 point, you know, these things are not without financial and  
10 other impacts that are pretty significant. However, I do think  
11 it will be in the long run of value to have those--continue  
12 those discussions, perhaps have additional hydrologist input and  
13 see if we can come up with a better project. Which is not to  
14 imply that the project is not good as it stands right now, but  
15 if we can resolve some of these concerns, I just think, again,  
16 that's part of the new normal that we're looking at in terms of  
17 winery development. We're in close now, and it's only going to  
18 continue that way as we go forward here in this valley.

19 So I would concur with Chair Fiddaman and be supportive of  
20 a 30-day continuance.

21 COMMISSIONER BASAYNE: So, given the tenor of the times,  
22 undoubtedly it's important to, number one, I think, be sensitive  
23 when we do look at any new project to impacts on neighbors, and  
24 certainly any significant changes to the landscape. This project  
25 is a commendable project, and a lot of effort has been put into  
26 it over time. And I wouldn't at all agree with Mr. Margadant in  
27 terms of his assessment of, really, the design of the winery.  
28 Harkening back to the actual design features of the Rudd

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1 Winery, if you haven't seen it, it's very attractive, the design  
2 features are also commendable. And it is indeed a winery that  
3 has experienced a lot of planning and forethought, as I believe  
4 this one has, as well.

5 It's not a small winery, and it definitely does impact the  
6 landscape and changes the context of the neighborhood. But, I  
7 absolutely do believe that it is a quality winery. Having said  
8 that, I also appreciate the need for additional time, albeit, to  
9 assess a hydrologist report. And I sincerely appreciate the  
10 financial impact on the applicant, particularly in terms of each  
11 month [inuring] to a 25,000-dollar impact.

12 However, I absolutely do believe it's important to take  
13 seriously the commentary that we've heard today requesting a  
14 continuance. And certainly I believe that the applicant has  
15 tried to work with the neighbors. It hasn't, certainly, been any  
16 lack of effort on the applicant's part. But I think that it  
17 would be reasonable at this point to grant a 30-day continuance  
18 in keeping with the chairman's recommendations.

19 COMMISSIONER PHILLIPS: Okay. Okay. Well, I'll come in and  
20 I'll just say I concur with my fellow commissioners. And the  
21 only thing that I would add to that is that I like the direction  
22 of the new Staff Reports. But with regard to this Staff Report,  
23 one area that I would like to see a little bit more analysis on  
24 is just for my own edification, I guess, is I've never dealt  
25 with a transient non-community water system before. And a little  
26 bit more about the history of how that was developed. The two  
27 separate parcels, the ramifications of expanding this and  
28 including both wineries on the title.

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1 I mean, on one hand it does seem very contrary to me to  
2 have separate parcels that are dependent on one another and are  
3 only linked through a title. So, and then to mesh that, to  
4 overlay the existing--the original use permit over that.

5 CHAIR FIDDAMAN: Yeah, I'm assuming one parcel will have an  
6 easement that gives them rights to the water from the other  
7 parcel. But, I think that does all need to be clarified a little  
8 bit better for the Commission. Mr. Scott.

9 COMMISSIONER SCOTT: Well, I don't have a great deal to  
10 add. I find that I'm kind of torn a little bit here, because  
11 essentially I feel that this is a relatively good project. I  
12 mean, I don't agree that this is necessarily the box that it was  
13 once described as. I think to some degree I believe it does  
14 raise the bar a little bit. God knows as I have expressed  
15 concern before, we do not have design review. So we don't have a  
16 lot of control. And I think that's our fault.

17 But I understand the concerns and the costs that are  
18 involved in a continuance. But, when there are questions that  
19 remain unanswered and neighbors who remain concerned, I think  
20 that a continuance in my estimation, reluctantly represents good  
21 planning. And that's what we're here to achieve.

22 I share some of the concerns about the water issues. The  
23 impacts on the neighbors. In terms of ingress and egress, I  
24 think that the traffic study is pretty indicative that the  
25 impacts are going to be minimal. Perhaps, hopefully, negligible.  
26 But certainly minimal. This, in terms of the ingress and egress  
27 to the property, I don't really see an issue with this. I think  
28 it's important that we have a project that's proposed that meets

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1 all of the requirements that the County has, that they're not  
2 asking for variances. And many of the projects that we've seen  
3 in the last few years are requesting variances. And in many  
4 cases, multiple variances. I feel that's inappropriate. And it's  
5 inappropriate to start off with exceptions, needing exceptions  
6 to very reasonable ordinances and policies that have been  
7 developed with the idea of preserving the quality of life that  
8 we've come to enjoy in the Napa Valley. That's why many of us  
9 moved here. Some of you were fortunate enough to be born here.  
10 And I can appreciate that.

11 So, in summary, I would be supportive of a continuance.

12 CHAIR FIDDAMAN: Okay. The applicant I know would like to  
13 make a comment. Mr. Roney.

14 MR. RONEY: I just want to answer a couple of quick  
15 questions that were raised. I thought it would be helpful for  
16 everybody. In terms of Clos Pegase, there are 20,000 square-feet  
17 of cave space that are not part of the building space, so really  
18 that building is 44,000 square-feet.

19 There was, at one point, a discussion about having the two  
20 parcels merge. That never actually happened, and it was changed  
21 later in the use permit process. And so they are two separate,  
22 legal parcels with easements on the parcels.

23 Our intention in terms of a green winery, we want to use as  
24 much renewable energy as we can. We want to try to continue to  
25 get the City of Calistoga to reduce the boron content in their  
26 water so we can use recycled water there. As we have down in  
27 Carneros where we committed to the Carneros recycled water  
28 project, and committing two million dollars of funding to use

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1 recycled water at our 360-acre parcel in Carneros. We understand  
2 that the request for the--to look further at the water, and  
3 we'll certainly comply with that. Our only request would be that  
4 you put it on the next hearing date on the 7<sup>th</sup> of January, as  
5 opposed to 30 days out. We believe that certainly anything that  
6 needs to be discovered between now and then can get discovered  
7 by that meeting. But, we'd respectfully request that you  
8 consider that.

9 CHAIR FIDDAMAN: Thank you.

10 COMMISSIONER SCOTT: I have a question. Mr. Roney.

11 CHAIR FIDDAMAN: There's a question for you.

12 COMMISSIONER SCOTT: Before you leave. The issues that Mrs.  
13 Tofanelli brought up as far as fencing, etcetera, things that  
14 they're concerned about, would you be receptive to meeting with  
15 her and resolving those issues before this thing comes back to  
16 us?

17 MR. RONEY: Absolutely. We told her that we'll let her pick  
18 where she wants to put the fence, and we will. We don't care.  
19 We've also told her that we'd remove vines from one of our other  
20 properties if she's concerned that the tractors turn around on  
21 the--on her property. So. We're--she's kind of on the fence as  
22 to whether she wants the fence because the one thing--she likes  
23 the fence so that nobody gets there, but she hates to look at  
24 the fence. But either way, we'll let her pick the type of fence  
25 she wants, and where she wants it, and we'll get it done before  
26 the next meeting.

27 CHAIR FIDDAMAN: Thank you. Okay. No, I'm not going to  
28 close it yet. No. The comments about the design of this project

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1 raise an old issue for me, and I just--it's just sort of my  
2 parting comment to the Staff. I've never quite understood why  
3 our reports don't include--don't disclose the designer.  
4 Personally, I would find that very helpful information. But it's  
5 always been--and I've brought this up before a long time ago.  
6 It's never been disclosed, you know, who the architect--yeah  
7 they were...

8 [Several inaudible comments.]

9 COMMISSIONER PHILLIPS: Well, we, you know, we did have  
10 this discussion where--on the drawings that sometimes it had the  
11 architect's name and sometimes it doesn't.

12 CHAIR FIDDAMAN: Rarely. It very rarely does. I don't  
13 recall when I've seen it. So, it would just be, so I'm just  
14 bringing it up, topic for future Commission discussion, or  
15 discussion with Staff. Because sometimes it gives much more  
16 confidence if it's an architect you know or have a respect for.

17 And so I see someone is going to speak to us.

18 DEL STARRETT: Sure.

19 CHAIR FIDDAMAN: Possibly the designer.

20 MR. STARRETT: Exactly. Yeah, my name is Dale Starrett, Del  
21 Starrett Architect, 3663 North Laughlin Road in Santa Rosa. And  
22 I am the architect for the project. I've done many, many  
23 wineries, and mostly in Sonoma County, and worked on Christian  
24 Brothers projects, and Mont La Salle, and lots of projects over  
25 here. So. The drawings that we did submit do have my name on  
26 them.

27 [CHARLENE GALLINA]: Yes.

28 MR. STARRETT: But that it mysteriously disappears as

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1 through the process, so.

2 [Inaudible comment.]

3 MR. STARRETT: So, if there are any questions about the  
4 architecture, I'd be happy to answer any of those. So.

5 CHAIR FIDDAMAN: Any questions?

6 COMMISSIONER PHILLIPS: Not at this time.

7 CHAIR FIDDAMAN: All right, thank you. So, that was my one  
8 comment on that topic. And then since this is my last meeting, I  
9 can wander off a little bit if I want because I was intrigued,  
10 you know, there have been a couple of comments about Napa  
11 Valley, whether we're paving it over, and so on. And I've made  
12 the comparison myself in the past to Santa Clara Valley, now  
13 known as Silicon Valley. I first moved there 60 years ago, and  
14 so I saw it when it was orchard. And I'm pretty proud for my  
15 small part that I've played in helping keep the Napa Valley like  
16 it is. And frankly, I don't think we are in danger of paving it  
17 over. But I think we do need to be very careful about where we  
18 head in the future. And I know that's going to be a topic of  
19 discussion in the coming year or so.

20 But the one comment I wanted to make was having lived in  
21 Calistoga, you know, Calistoga was started by Sam Brannan when  
22 he developed a resort there a hundred and some years ago. And  
23 one of his--I don't recall the specific details, but I know one  
24 of his early investors was Stanford, Leland Stanford. And for  
25 those of you who may not be aware, the reason Silicon Valley is  
26 where it is is because of its proximity to Stanford. And a  
27 hundred and some years ago, Leland Stanford really wanted to  
28 build that university here. So, just think about it, our

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1 positions could have been exactly reversed, we might be Silicon  
2 Valley, and Santa Clara Valley might be orchards, who knows.

3 So, with that, I'm going to entertain a motion from one of  
4 my colleagues to grant a continuance. And I'm going to leave the  
5 term of that continuance up to you.

6 COMMISSIONER BASAYNE: I move that the item be continued to  
7 the January 7, 2015, Planning Commission meeting.

8 CHAIR FIDDAMAN: Is there a second?

9 COMMISSIONER PHILLIPS: Wait, I think that with Charlene  
10 there's some discussion amongst Staff.

11 MS. GALLINA: Okay. All right.

12 CHAIR FIDDAMAN: Does that date work from a...

13 DEPUTY DIRECTOR MCDOWELL: We'll be happy to go in whatever  
14 direction you want to go. Our Staff Report for the meeting of  
15 January 7, I believe, I don't have my calendar with me, but it  
16 would go out the Wednesday prior to that, which...

17 MS. GALLINA: It would actually go out on, because of the  
18 holiday schedule, on Monday, December 29.

19 COMMISSIONER PHILLIPS: So, let's be realistic. That's not  
20 enough time to make an impact on--in terms of having the ability  
21 to hire a consultant, or to address, even for meetings amongst  
22 neighbors. So, I understand, I see this is a very tough  
23 position. I see both sides. It's really...

24 DEPUTY DIRECTOR MCDOWELL: So, a factor in this is Staff  
25 does not control when comments are submitted by interested  
26 parties. Nor the content of what those comments may be. So,  
27 whether you have the meeting on the 7<sup>th</sup> or the 21<sup>st</sup>, or on March  
28 5<sup>th</sup>, interested parties can submit comments either at the

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1 meeting, or at 4:45 the evening before. That Staff may either be  
2 able or be unable to address at the meeting. That's just a  
3 factor in the continuance.

4 COMMISSIONER SCOTT: Would you be better able to address it  
5 in the second meeting in January instead of the first?

6 DEPUTY DIRECTOR MCDOWELL: Well, if we were to receive the  
7 comments prior to us composing a Staff Report. But at this  
8 point, the additional information that you've asked from us, I'm  
9 comfortable with us preparing that over the next week here, and  
10 having it in the Staff Report. I think the unknown is the amount  
11 of additional comments that we would receive from interested  
12 parties.

13 DIRECTOR MORRISON: Just to remind, the Staff is not asking  
14 for the continuance, the neighbors are asking for the  
15 continuance. And so you're asking us how long we need. It  
16 depends on when the neighbors submit the comments. And then we  
17 need time to respond to that. But we can't--we can't know and we  
18 can't predict and we don't know when the neighbors will submit  
19 those comments. So. As so far as to how--I think what Mr.  
20 McDowell is saying is how whether we are able to respond, and  
21 how full that response is is going to depend on how much lead  
22 time we have before the next hearing as to when we get those  
23 comments. That's strictly a function of that.

24 COMMISSIONER POPE: Yeah, its'--so even though January 7 is  
25 21 days away from today, if I'm counting accurately, yeah, we  
26 know at least probably about a week of that time is basically  
27 gone to the holidays. So, I don't know if that really  
28 accomplishes what we're hoping to get out of this continuance.

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1 COMMISSIONER PHILLIPS: So then I move that we have this  
2 for the 21<sup>st</sup>, is that it?

3 CHAIR FIDDAMAN: All right. So we do have an existing...

4 COMMISSIONER PHILLIPS: Wait, you're whispering, Charlene,  
5 is there a problem with that date?

6 MS. GALLINA: No. No.

7 CHAIR FIDDAMAN: We have an existing motion to continue to  
8 the 7<sup>th</sup>, but there has not been a second. So, I'm going to assume  
9 that motion fails for lack of a second. So, we do have a new  
10 motion?

11 COMMISSIONER BASAYNE: I can withdraw that motion before  
12 failure occurs. [Laughter.]

13 CHAIR FIDDAMAN: Okay. That's fine. Don't want to label you  
14 a failure, Mike.

15 COMMISSIONER BASAYNE: I don't want to fail. Thank you.

16 COMMISSIONER POPE: Mike is very competitive.

17 COMMISSIONER BASAYNE: I like to succeed at things.

18 CHAIR FIDDAMAN: All right, so now we have a motion to  
19 continue to January 21<sup>st</sup>. Is there a second?

20 COMMISSIONER POPE: Second.

21 CHAIR FIDDAMAN: Okay. All in favor say aye.

22 ALL COMMISSIONERS: Aye.

23 CHAIR FIDDAMAN: Any opposed? That's carried unanimously.  
24 Okay. So. All right.

25 --o0o--  
26  
27  
28

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1 I, Kathryn F. Johnson, do hereby certify and believe:

2 That the foregoing pages are a true and correct transcript  
3 of the proceedings before the Napa County Planning Commission,  
4 County Building, Board Chambers, Napa, California, excepting  
5 words noted "inaudible" or words placed in [brackets] to the  
6 best of my ability. Speech disfluencies, discourse markers and  
7 pause fillers have been deleted, except when deemed function  
8 words. Commas may be used for emphasis as well as for grammar.

9 I further certify that I am not interested in the outcome  
10 of said matter or connected with or related to any of the  
11 parties of said matter or to their respective counsel.

12 Dated this 8<sup>th</sup> day of December, 2015.

13  
14  
15 Kathryn F. Johnson  
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23

24 THE FOREGOING INSTRUMENT IS A CORRECT COPY  
OF THE ORIGINAL ON FILE IN THIS OFFICE

25 CLERK OF THE BOARD OF SUPERVISORS OF  
THE COUNTY OF NAPA STATE OF CALIFORNIA

26 ATTEST: *Greg Meyer*

27 DATE: 2/5/16

28  
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