



DICKENSON, PEATMAN & FOGARTY  
 A Professional Law Corporation

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February 24, 2004

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NAPA COUNTY  
 DEPT. OF PUBLIC WORKS

809 Coombs Street  
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 Fax: 707 255 6876  
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Larry Bogner  
 Napa County Public Works Department  
 1195 Third Street, Room 201  
 Napa, CA 94559

Re: Smith Winery Road Exception Request  
 Use Permit #02057-UP

Walter J. Fogarty, Jr.  
 David W. Meyers  
 Francis J. Collin, Jr.  
 Charles H. Dickenson

Dear Larry:

This letter is in support of our request from a road exception for a portion of the road serving the Smith Winery at Las Posadas Road (APN 25-060-001). Please find enclosed additional detail of a ±650-foot long section of Las Posadas Road leading from the "T" intersection south of La Jota Winery to the driveway on the Smith property. Once the road enters the Smith Property, it has been fully improved to County standards. The entire length of the road, from the end of the publicly maintained portion to the winery site, is surfaced in accordance with County standards.

As shown on the plans, the "T" intersection (location of mailboxes) is the equivalent of a hammerhead turnaround area. From that point, turning left (east), the sides of the road drop off dramatically where the road has been built up to cross a low-lying area. Where the ground levels out further east, there are several mature native evergreen trees. In order to widen this section of the road, a significant amount of fill would be required which would necessitate extensive re-contouring of the roadbed, the removal of these trees and loss of habitat. Immediately after this short section, there is an area adjacent to the road that can be improved with a 40-foot long turnout, which is shown as the shaded portion on Sheet #1 and continues on Sheet #2. From the "T" intersection of the Road to the first turnout, the road is 30 feet long and 12 feet wide.

Following this turnout, there is a straight, 120-foot long stretch of road approximately 12 feet wide with excellent visibility, but its width is constrained by power poles and mature trees on both sides, and a sharp drop-off on the northern side. At this point, the driveway at 1185 Las Posadas provides another turnout. Approximately 30 feet past this driveway is another area that can be widened to 16 feet for a distance of about 20 feet, with a similar turnout 20 feet past. Past these two turnouts the road curves, and on the outside of the curve is another driveway. This driveway and the curve create the equivalent of another hammerhead turnaround area and provide sufficient turnout area for any vehicles needing to pass.

Past the curve the road is again approximately 12 feet wide for a distance of about 40 feet, after which the applicant has improved the road to full County standards. As

Paul G. Carey  
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 Amber D. Passno  
 Megan Ferrigan Healy

Of Counsel  
 Joseph G. Peatman

Retired  
 Howard G. Dickenson  
 C. Richard Lemon

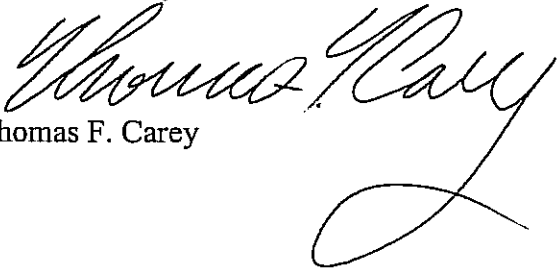
Larry Bogner  
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shown on these plans, only a very short section of the entire road is proposed to remain as it is currently developed. This road has been safely handling the traffic of the existing residences and agricultural operations for many years. With the turnouts mentioned above and the excellent visibility along the entire length of the road, this proposal provides an equivalent level of safety as would the standard winery drive, which would create undesirable environmental impacts from extensive grading and habitat removal.

If you have any questions regarding this request, give me a call.

Sincerely yours,

DICKENSON, PEATMAN & FOGARTY

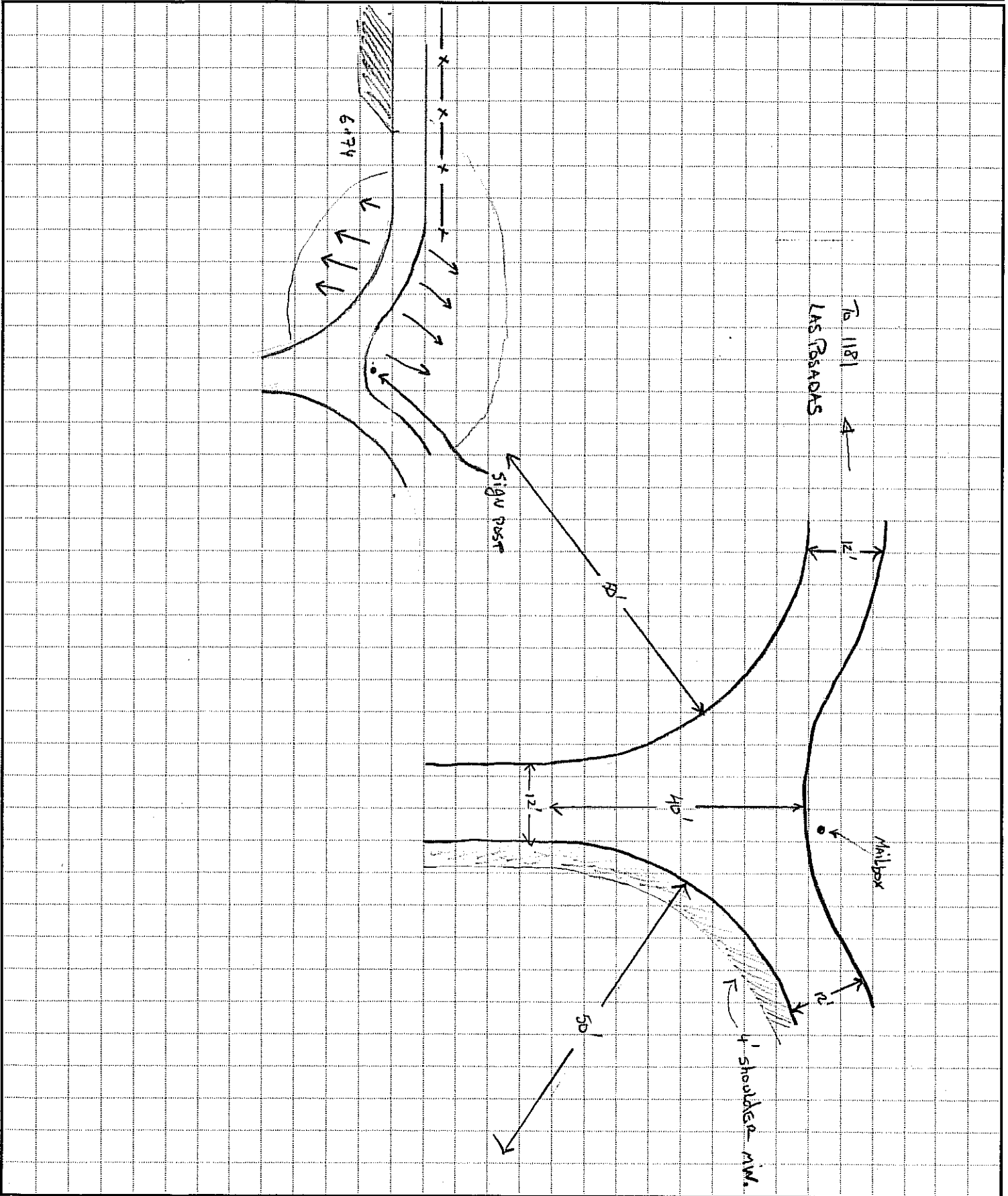
  
Thomas F. Carey

TFC  
Enclosure

**GLEN RAGSDALE**  
**UNDERGROUND ASSOCIATES, INC.**

P.O. Box 848  
ANGWIN, CA 94508  
TEL (707) 965-3250  
FAX (707) 965-3200

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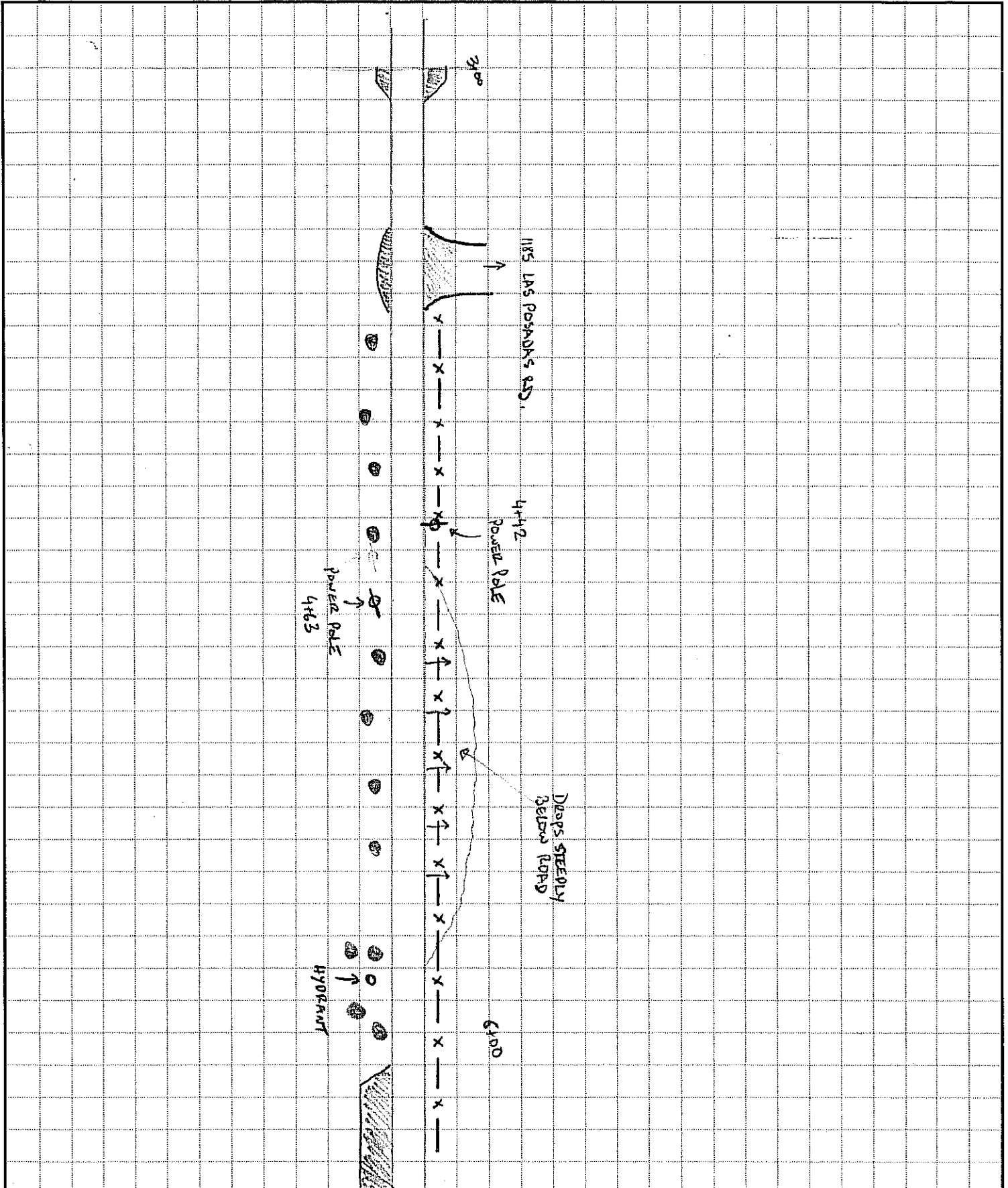
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