

HILLARY
RECEIVED

FEB 14 2008

January 12, 2008

RE: Bennett Lane Winery Expansion

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

This letter is in reference to the proposed expansion of the Bennett Lane Wine Making facility located on Highway 128 in Calistoga CA. (AKA Bennett Lane Winery)

We were all told by our neighbors that the owners, Randy and Lisa Lynch, would do no other expansion if we allowed them the additional gallonage. This was reaffirmed at the Planning Commission Meeting as well by their spokesman Donna Oldford.. At this time, it is our understanding that the former owners were processing approximately 43,000 gallons and I believe they were not yet permitted for this. Now the new owners are attempting to go back on their verbal agreement and expand their buildings, etc...

There are many concerns regarding this expansion. First and foremost **WATER** is the biggest concern that all of the surrounding vineyards face daily. The impact of this type of expansion can adversely affect the immediate properties that border the Winery property. There needs to be a study done and viable proof provided to the owners surrounding the Bennett Lane Winery regarding how much the properties' around the Winery will lose from related **WATER** issues. Since the request is to nearly double the production, this will take a valuable resource away from the rest of us. The standard Waste Water Septic system most likely will not handle this additional load. I, as an owner and one that will feel this impact directly, requests at the very least an Environmental Impact Study is completed before this project is allowed to proceed or any permits issued. Given this is Ag land it is utterly irresponsible not to do this.

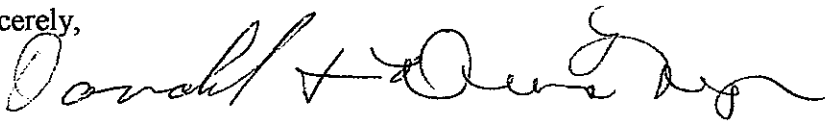
With respect to permits for gallonage, (Re: Paragraph Two) it is my understanding that the county does not have a program presently operating to enforce any Winery's gallonage. Since there is no way to enforce these permits, why issue another permit to further expand? If the county cannot enforce the permits they have outstanding, it is ridiculous to issue more!

The additional buildings and used up surfaces creates water flow problems in the winter. The more they concrete and asphalt the more the water is not absorbed and floods the surrounding properties. This is damaging to the grapes when it does not have the land to be absorbed. It flows to the creek and is lost rather than going into the ground. Again, precious **WATER** is washed away.

The activity surrounding crush time is very disturbing to all of the neighbors. Lights on 24/7, as well as, trucks constantly running. Truck access is so poor that 40ft long vehicles have to block Highway 128 and back down the approximately 1200 ft Winery driveway. This is not a particularly good area for the type of traffic the winery creates, and will only worsen the larger the facility gets. Again, an environmental study needs to be done regarding the affect of all these different issues.

In closing, it will be irresponsible on the part of the county to approve such an expansion request without coming to a satisfactory conclusion on the overall impact that this Winery will cause. I believe the owners have property on Tubbs Lane and should possibly consider the expansion next to their home. It strikes me as funny that that hasn't even been considered. I am sure they do not wish to be disturbed at their location. It is also apparent they have no respect for the neighbors that have lived and worked in this Valley far longer than they. We do not need a larger facility on this property. They knew what they purchased when they purchased it. The neighbors have been supportive! **But enough is enough!** It is the duty of this county to serve **all of its neighbors** not just the ones with a lot of money. The impact study requested above is the **responsible thing to do.** We espouse to be so conscientious with respect to being good stewards of our land here is the opportunity to prove it.

Sincerely,

A handwritten signature in cursive script, appearing to read "Don & Diane Meyer". The signature is written in dark ink and is positioned below the word "Sincerely,".

Don and Diane Meyer
3260 Highway 128
Calistoga CA 94515

To: Planning Commission
Napa County

Diane Dillon
District Supervisor
Napa County

To Whom It May Concern:

I wrote a letter dated January 5, 2008, about concerns regarding a possible expansion of Bennett Lane Winery. In that letter, I stated that according to the California Highway Patrol Officer of the Napa Office, the stretch of highway between Tubbs Lane and Bennett Lane and beyond is one of the most dangerous stretches of highway in California. The Officer stated that he knew the highway well: two lane, no designated left turns, deep ditches on both sides and no shoulders.

On January 19, 2008, my neighbor Patricia Haynes of 3305 Highway 128 while turning left into her driveway was hit by a following car spinning her pickup truck around and causing it to land upside down in a ditch. Pat was saved from more serious injury by her seat belt and that the ditch was not flooded with winter rain run off. However, she did sustain injuries that may require ongoing therapy. The pickup truck was declared a total loss. It was an alarming accident. Years ago, Irene Haynes, Pat's mother-in-law, had a similar accident when she was rear-ended by a speeding car.

Impatient drivers of cars, construction trucks and 18 wheelers who have just entered this area often travel in excess of 65 miles per hour exceeding the posted speed limit of 45mph by 20 mph.

I question the original investigation for the original permit request, the follow through on permit requirements being upheld, the statement of no needed additional building as promised to all of us.

I ask that any request for expansion of Bennett Lane Winery be denied.

Sincerely,



W. Ellis Hamilton

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FEB 19 2008

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

HILLARY

January 5, 2008

To: Planning Commission
Napa County

Diane Dillon
District 4 Supervisor
Napa County

RECEIVED

FEB 14 2008

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

To Whom It May Concern:

Regarding the problem of traffic on the stretch of Highway 128 between Tubbs Lane and Bennett Lane:

The California Highway Patrol Office spokesperson in the Napa office informed us that this stretch of highway was one of the most dangerous in California with deep ditches on each side, no shoulders and many accidents, some of which involve fatalities.

We who live here and turn into our driveways are continually alarmed at the speed of traffic whether from the slow curving highway from Knights Valley or cars that just passed the very busy intersection of Tubbs Lane. The acceleration to traffic speed is often in excess of 60 miles per hour and well over the posted 45 mph.

Regarding the proposed increase in square footage of buildings:

~~In Bennett Lane Winery's request~~ to increase winery production dated 2003, it is stated in no less than ten instances that there is no need for expansion. Also, please remember that the winery as stated in the application was already in excess of the original 20,000 gallon permit by a three-year average of 23,000 gallons amounting to 43,000 gallons. A ten-acre property is not large enough to handle the large trucks that must back in for lack of a turnaround space, further complicating the already-stretched highway use.

Without a more thorough investigation of traffic, lighting, water and noise, and without enough Building Commission staff to oversee the permits already issued, as owners of the neighboring vineyards and residences that make up the quiet rural and agricultural northwest end of this Valley, we believe that any expansion would not be reasonable for such a small parcel. We further request that the size of trucks be limited to just those that are able to enter and exit without having to back in.

We request that any application for expansion be denied. We request that the promise made to us and our neighbors that there would be no increase in winery square footage if we supported a 50,000 gallon permit be honored.

Sincerely,


W. Ellis Hamilton

PUBLIC NOTICE

NOTICE OF PLANNING COMMISSION HEARINGS

On Wednesday morning, the 4th day of June, 2003, at 9:00 a.m. in the County Administration Building, 1195 Third Street, Suite 305, Top Floor, Napa, California, a public hearing will be conducted by the Conservation, Development and Planning Commission of the County of Napa regarding each of the projects identified below. All interested persons are invited to attend the hearing and be heard.

**1. LEDE VINEYARDS / S. ANDERSON WINERY / S. ANDERSON VISTA, INC.-
VARIANCE REQUEST #02605-VAR**

CEQA STATUS: See Item #2.

REQUEST: Approval of a Variance to the winery road setback requirements set forth in Section 18.104.230 (B) of the County Code to allow a winery building to encroach 225 feet into the required 300 foot setback for private roads on a ±26.86 acre parcel on the southeasterly side of Yountville Cross Road approximately 1,800 feet from its intersection with Silverado Trail within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel # 031-230-013) 1473 Yountville Cross Road, Yountville.

**2. LEDE VINEYARDS / S. ANDERSON WINERY / S. ANDERSON VISTA, INC. – USE
PERMIT REQUEST #02606-UP**

CEQA STATUS: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: aesthetics, cultural resources, noise, and transportation/traffic.

REQUEST: Approval to modify Use Permit #U-438687 by demolishing the existing tasting room structure and remodeling and expanding an existing residence to 3,600 square feet to include the relocated winery tasting room, a retail salesroom, storage areas, offices, and restrooms and expand the cave use to include a 2,600 square foot emergency access portal for barrel storage for a winery totaling 26,900 square feet and: (1) construct of a new 25 space paved parking lot and bus parking area for a total of 35 parking spaces; and, (2) make road access improvements to the new parking lot from Yountville Cross Road that comply with the County's road design standards. No increase in the approved 30,000 gallons per year production capacity; employees, visitors or other improvements is proposed. The project is located on 26.86 acre parcel on the southeasterly side of Yountville Cross Road approximately 1,800 feet from its intersection with Silverado Trail within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel # 031-230-013) 1473 Yountville Cross Road, Yountville.


**3. JOHNSON NELSON WINERY / MARK AND DANA JOHNSON NELSON H/W –
USE PERMIT REQUEST #02541-UP**

CEQA STATUS: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation

for a winery totaling 3,333 square feet; (2) an outdoor crush pad; (3) two full-time and one part-time employees; (4) ten of parking spaces; (5) tours and tasting by appointment only with a maximum of 72 visitors per week; (6) a marketing plan with four private promotional wine tasting and meal activities per year with a maximum of 40 people per event; (7) one special annual event or Wine Auction event per year with a maximum of 100 people per event; and, (8) construction of an engineered wastewater septic system requiring a permit, located on a 10.67-acre parcel on the east side of Silverado Trail approximately 60 feet south of its intersection with Oak Knoll Avenue within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel # 039-580-017) 5012 Silverado Trail, Napa.

6. BENNETT LANE WINERY / THOMAS AND KAREN LEONARDINI TRUST – USE PERMIT REQUEST #02638-MOD

CEQA STATUS: Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts.

 **REQUEST:** Approval to modify Use Permit #92452 to: (1) increase winery production capacity from 20,000 gallons to 50,000 gallons per year with no increase in the winery square footage; (2) add custom crushing activities (crushing, fermentation, barrel aging and bottling) for up to six custom producers utilizing 30% (15,000 gallons per year) of the total approved winery production capacity; (3) add 4,000 square feet of septic leach field; and, (4) change the number of winery signs to two, reduce their size, and change their location to the winery entry wall, located on 10 acre parcel on the north side of State Highway 128 approximately ¾ of a mile north of its intersection with Tubbs Lane within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel # 017-160-002) 3340 Highway 128, Calistoga.

7. KEEVER WINERY / WILLIAM & OLGA KEEVER TRUST ETAL - VARIANCE REQUEST #02586-VAR

CEQA STATUS: See Item #8.

REQUEST: Approval of a Variance to the winery road setback requirements set forth in Section 18.104.230 (B) of the County Code to allow both a winery building to encroach ±210 feet and an existing 1,504 square foot barn (proposed to become a wine storage building) to encroach ±85 feet into the required 300 foot setback for private roads, located on a 21.11 acre parcel on the east side of Vineyard View Drive approximately 1 1/4 miles northwest of its intersection with Hoffman Lane and Solano Avenue within an AW/AP (Agricultural Watershed / Agricultural Preserve) split zoning district. (Assessor's Parcel # 034-150-016) 11 Vineyard View Drive, Napa.

8. KEEVER WINERY / WILLIAM & OLGA KEEVER TRUST ETAL – USE PERMIT REQUEST #02587-UP

CEQA STATUS: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: aesthetics, geology and traffic.



**NAPA COUNTY CONSERVATION • DEVELOPMENT
and PLANNING DEPARTMENT**

Charles Wilson Director 1195 Third Street, Room 210 • Napa, California 94559-3092 Telephone 707/253-4416
FAX 707/253-4336

DATE OF HEARING: JULY 2, 2003

AGENDA ITEM # 9

SUMMARY FOR: CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

CASE: #02638-MOD: BENNETT LANE WINERY

LOCATION: LOCATED ON A 10 ACRE PARCEL ON THE NORTHEAST SIDE OF
HIGHWAY 128 APPROXIMATELY ONE MILE FROM ITS INTERSECTION
WITH TUBBS LANE WITHIN AN AP (AGRICULTURAL PRESERVE) ZONING
DISTRICT. (ASSESSOR'S PARCEL #017-160-002) 3340 HIGHWAY 128,
CALISTOGA

PROJECT REQUEST: REQUEST TO INCREASE WINERY PRODUCTION BY 30,000
GALLONS/YEAR, FROM 20,000 TO 50,000 GALLONS/YEAR, TO INCLUDE 15,000 GALLON/YEAR
CUSTOM PRODUCTION WITH 6 CUSTOM CRUSH CLIENTS, TO ADD 4,000 SQ. FT. OF SEPTIC
LEACH FIELD, AND TO CHANGE THE NUMBER, SIZE, COPY AND LOCATION OF THE WINERY
SIGNS. NO OTHER CHANGES ARE PROPOSED.

OWNER: THOMAS LEONARDINI, 1563 ST. HELENA HWY, St. HELENA

APPLICANT/REPRESENTATIVE: THOMAS LEONARDINI

ZONING: AP (Agricultural Preserve)

GENERAL PLAN DESIGNATION: AR (Agricultural Resource)

ACRES: 10

ISSUES: NONE

CASE HISTORY/BACKGROUND:

Use Permit #92452-UP & Use Permit Modification #94307-MOD
(see Exhibit A attached immediately behind this cover sheet)

STAFF RECOMMENDATION:

**APPROVAL of NEGATIVE DECLARATION & MODIFICATION TO USE PERMIT #92452-UP WITH THE
ATTACHED CONDITIONS**

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
CONSERVATION & DEVELOPMENT PLANNING COMMISSION
USE PERMIT # 02638-MOD

DEPARTMENT REPORT AND RECOMMENDATION

Meeting of July 2, 2003

APPLICANT/OWNER: Thomas Leonardini

PLANNER ASSIGNED: Buzz Kalkowski

FILED: 2/20/03

PROJECT DESCRIPTION: A modification to an existing winery use permit as specified below.

PRODUCTION GALLONS/YEAR: 30,000 gallon/year increase to a total 50,000 gallon/year

TOTAL SQ.FT. OF WINERY: 7,552 (no change) **SQ. FT. OF OTHER ACCESORY USES:** 1,115 (no change)

HOURS OPERATION: Continues hours established under Use Permit #92452-UP 9 AM – 5 PM

MAX. # OF PERSONS/EVENT: 50 (no change requested)

OF EMPLOYEES: 3 (no change requested)

LOCATION: Located on a 10-acre parcel on the northeast side of Highway 128 approximately 1 mile from its intersection with Tubbs Lane, within an AP zoning district (APN: 017-160-002); 3340 Hwy 128, Calistoga.

FINDINGS:

BACKGROUND INFORMATION/ DETAILS OF REQUEST:

1. The applicant is requesting approval to modify annual wine production by 30,000 gallons, from 20,000 to 50,000 gallons/year. The request includes custom production activities to consist of 15,000 gallons/year, or 30% of the requested 50,000 gallons/year, with up to 6 custom crush clients. The request includes approval of a sign on the landscape entry wall. The request is for the maximum sign area and letter dimensions on both sides of the entry landscape wall. The project site is located on a 10-acre parcel on the northeast side of Hwy 128, approximately 1 mile from its intersection with Tubbs Lane. The property is developed, with the winery building and an attached unfinished dwelling unit, and \pm 7-acres of vineyards. Access to the winery is an existing driveway off Hwy 128.
2. ADJACENT LAND-USE/ZONING/ACREAGE

DIRECTION	LAND-USE	ZONING	ACREAGE
North	Ag/residential	AP	44
South	Ag/residential	AW	15 & 24
East	Ag/residential	AP	23
West	Ag/residential	AP	2 & 18

3. The winery building exists without any proposed changes. The attached dwelling unit is on the second level and remains unfinished. No other structures exist on the parcel. The closest residence is approximately 600 feet from the winery structure.
4. The existing marketing and special events are detailed in Exhibit A above. Tours and tasting by appointment exist at the winery facility. No changes have been requested.
5. Details of the modification request are contained in the attached supplemental information sheet and accompanying materials.
6. Comments and recommendations from various County departments are attached.

ENVIRONMENTAL ANALYSIS:

7. An Initial Study has been prepared for the project, which identified no potential significant environmental impacts. Based on the information contained on the Napa County environmental resource maps and submitted information the following are discussed below:

AESTHETICS: No above ground physical changes are proposed, except for the sign request. The 4,000 sq. ft. septic leach field expansion presents no aesthetic issues.

AIR QUALITY: The trenching for the installation of the extended leach field presents no air quality issues.

CULTURAL RESOURCES: The general area is an area of archaeological resource. The area of the septic field expansion does not contain any known cultural resources. A standard condition of approval requires that earthwork cease within a 50-foot radius of any archaeological findings until such time when a qualified professional can determine the significance of the find and make recommendations.

HYDROLOGY & WATER QUALITY: A Phase 1 water study was prepared for the project. There is an existing on site well with an unspecified production that supplies the water used for wine processing and domestic purposes. The proposed increased winery facility will use 0.92 acre-feet of water per year. The existing residence on the property uses approximately .75 acre-feet of water per year. A 7-acre vineyard exists on the property. Well water is used in the vineyards for irrigation. The amount of well water use on the parcel, with the 50,000-gallon/year production will be 4.96 acre-feet per year. The proposed winery production increase will not have a significant effect on groundwater levels. The Department of Public Works has determined that the estimated water demand is below the established threshold for the property, and no further studies are needed.

LAND USE AND PLANNING: The request meets the policies and goals of the County's General Plan and complies with the provisions of the Napa County Code.

NOISE: No new marketing or special event changes are proposed. No new construction, beyond the expansion of the septic leach field is proposed.

TRANSPORTATION & UTILITIES: Traffic generated by the production modification is expected to be minimal and limited to the custom production activities generating an estimated 12 vehicle trips/month. Access to the winery is from Hwy 128. The 2001 traffic count conducted by Caltrans showed 3,050 vehicles (traffic count) at the intersection of Hwy 128 & Tubbs Lane. According to the threshold established by the Department of Public Works, a project that would generate 70 additional daily trips would be required to install a left-hand turn lane. This project is expected to generate an average of 0.4 additional daily trips. This is below the established threshold; therefore no turn lane would be required. Additionally by granting of this use permit, the production of the grapes will be on-site and there will be

CONDITIONS OF APPROVAL
BENNET LANE WINERY
#02638-MOD
APN 017-160-002

1. **SCOPE:** The permit shall be limited to:

- Wine production of no more than 50,000 gallons per year.
- Custom production activities including crushing, fermenting, barrel aging, bottling and occasional office space for a maximum of 6 custom producers utilizing a maximum of 15,000 gallons of the winery's proposed 50,000 gallon per year capacity. Custom production will not include use of office space, case goods storage, retail wine sales, wine tasting, or distribution/shipping.

The requested 30,000 gallons per year production increase, resulting in a total 50,000 gallons per year winery production limit, and the custom production activities shall not become effective until the completion of the required CALTRANS "access improvements" as stated in the their June 26, 2003, letter to the Napa County Planning Department. Until such time that the required CALTRANS "access improvements" are completed, the winery's annual production shall remain at 20,000 gallons per year and no custom crushing activities shall occur.

Commencement of the above activities prior to completing the required Caltrans improvements will result in the Department's referral to the Planning Commission for consideration of a potential revocation hearing of the #02638-MOD use permit modifications according to County Code Section 18.124.120.

- 4,000 square foot septic leach field expansion.
- Continued use of the existing 7,552 square foot winery building* but with no winery functions within the dwelling unit portion of the building.
- Two freestanding signs, with letters mounted on an existing landscape wall located on each side of the driveway, meeting Napa County Code standards and approved prior to placement by the Napa County Conservation, Development & Planning Department.

* See Conditions of Approval, Use Permit #92452-UP

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, constructors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process.

2. **MARKETING:** Marketing and special events shall be limited to those approved under Use Permit #92452-UP.

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when

BENNETT LANE WINERY

Vigil Winery (hereafter called Bennett Lane Winery) is located at 3340 Highway 128 in Calistoga and is a permitted 20,000-gallon wine production facility on the ten-acre property. The existing winery is approximately 7,552 sq. ft. and contains facilities for winemaking, wine storage, a tasting and sales room, offices and a 900 sq. ft. dwelling unit. There is approximately 7.5 acres of vineyard that is being re-planted to Cabernet Sauvignon grapes.

Under previous ownership, the winery had been producing in excess of their permit, making approximately 18,000 cases (43,000 gallons) of wine each year for the three years prior to Harvest 2002. They processed grapes at the winery and also had bulk wine delivered from Stockton and Lodi to the winery for aging and bottling. They also stored some case goods at the winery requiring distributors to send trucks to the facility to pick up cases of wine.

We propose to produce 50,000 gallons of wine each year or approximately 20,000 cases of premium Napa Valley wine annually. The case goods will be stored off-site in a bonded warehouse in American Canyon. We will produce a similar amount of wine as the previous owners but with a drastic reduction in the number of trucks and tankers visiting the facility. Likewise, our cellar crew, office staff and tasting room employees will number half of the previous workforce, also decreasing daily traffic to the winery.

The winery will crush approximately 300 tons of grapes at the facility during harvest. We will use the grapes from the newly re-planted 7.5-acre vineyard on the property as well as from local growers in Napa Valley. All crushing will take place on the existing concrete crush pad at the back of the winery and all wine work will be handled inside the winery to mitigate noise. As for reducing excessive noise, we also repaired the muffler to the forklift that was broken for over one year under the previous owners.

Our proposed increase in capacity does not include altering the footprint of the winery. We will not change the aesthetics of the property with the exception of replanting the somewhat derelict vineyard and removing a burn pile that stood in a vacant portion of the vineyard for more than three years. The facility is currently large enough to handle 50,000 gallons of wine annually as was demonstrated by the previous owners. In the past, the owners crushed some grapes at this facility and trucked the majority of the wine in tankers from outside Napa Valley. The total was in excess of 42,000 gallons annually.

Also at this time we need to address the existing signs and proposed signs. There are existing signs that spell out "Bennett Lane Winery" on the entry walls of the property. They are cream colored that contrast against the darker tan walls. I have enclosed photos of the signs with this packet (Sign A). We request to keep these signs 'as is'. In addition

INFORMATION SHEET

I. USE

- A. Description of Proposed Use (including where appropriate product/service provided):
INCREASE PRODUCTION CAPACITY FROM
20,000 GALLS TO 50,000 GALLS ANNUALLY.
- B. Project Phases: ☐ one ☐ two ☐ more than two (please specify) N/A
- C. Estimated Completion Date for Each Phase: Phase 1: N/A Phase 2: _____
- D. Actual Construction Time Required for Each Phase: N/A ☐ less than 3 months
☐ More than 3 months
- E. Related Necessary On- And Off-Site Concurrent or Subsequent Projects: NONE
- F. Additional Licenses/Approval Required:
- District: NONE Regional: NONE
 State: ABC Federal: BATE

II. BUILDINGS

- A. Floor Area of Project (in square ft):
 new construction: 0 proposed total floor area on site: 7,552 sq. ft.
NO CHANGE
- existing structures or
 portions thereof to be
 utilized: 7,552 sq. ft. existing structures or
 portions thereof to be
 moved: 0
- B. Floor Area Devoted to each separate use (in square ft):
 living: 0 storage/warehouse: 6,437 sq. ft. offices: 240 sq. ft.
 sales: 235 sq. ft. other (30th Hall): 590 sq. ft.
- C. Maximum Building Height existing structures: 27 feet new construction: N/A
- D. Type of New Construction (e.g., wood-frame): N/A
- E. Height of Crane necessary for construction of new buildings (airport environs): N/A
- F. Type of Exterior Night Lighting Proposed: EXISTING (LOW-LEVEL SHIELDED)

III. PARKING

- | | Existing | Proposed |
|----------------------------------|-----------|-------------|
| A. Total On-Site Parking Spaces: | <u>14</u> | <u>Same</u> |
| B. Customer Parking Spaces: | <u>11</u> | <u>Same</u> |
| C. Employee Parking Spaces: | <u>3</u> | <u>Same</u> |
| D. Loading Areas: | <u>2</u> | <u>Same</u> |

PHASE ONE WATER AVAILABILITY ANALYSIS, DATED AUGUST 12, 2002

Vigil Winery is located at 3340 Highway 128 in Calistoga and is a permitted 20,000-gallon wine production facility on the ten-acre property. The existing winery is approximately 7,552 sq. ft. and contains facilities for winemaking, wine storage, a tasting and sales room, offices and a 600 sq. ft. dwelling with one bathroom.

The winery had been producing (under previous ownership) approximately 18,000 cases (43,000 gallons) of wine each year for at least three years of which 12,000 cases were red wine and 8,000 cases were white wine. They crushed grapes and had bulk wine delivered to the winery for aging and bottling. They operated a four-person cellar crew, including winemaker.

We propose to produce 50,000 gallons of wine each year or approximately 20,000 cases of premium wine. The emphasis will be on red varietals that use less water than whites. We will use a cellar crew of three including our winemaker.

Water will be used daily in the winemaking process to clean tanks, barrels and winemaking equipment and to wash down floors. We will use eight tanks that are cleaned a total of approximately 32 times each year. Tanks are cleaned by re-circulating a sanitizing agent and rinsing with water. Our barrels will be cleaned on average two times each year during racking. Equipment will be cleaned on an as needed basis with most of the cleaning taking place during harvest when the bladder press and crusher/destemmer are cleaned daily. We estimate that we use six gallons of water to produce one gallon of wine or .92 ac-ft/year. (This is more than our current usage in producing wine at Whitehall Lane Winery in St. Helena.)

The winery also operates a tasting and retail sales room that sees on average 100 visitors each week. There is one full time employee in the tasting room and one person in the office. Water is used to clean wineglasses, for the lunchroom kitchen and for bathroom use.

There are approximately seven acres that are being replanted to cabernet sauvignon vines on the property, primarily on 6 x 10 spacing or approximately 5,150 vines. Table #1 that follows explains proposed vineyard water usage. The vines will be on a watering schedule during the growing season. Watering will occur during pre-dawn.

With the proposed increase from 20,000 to 50,000 gallons, we do not need to increase the size of the winery. We expect to decrease the number of workers in the cellar to only two full-time people with only one part-time, seasonal employee. We will also use a more efficient barrel washing system that will utilize less water than the previous owners used.

The well at Vigil Winery is located in the vineyard in the north east quadrant. The well is approximately 200 ft. deep and has a six-inch casing. There is not a meter on the well. The water is pumped to a 10,000 gallon holding tank. There is a separate 10,000 gallon holding tank for fire emergency only.

JOHN HILLARY

Warren and Nancy Wilson
3227 Highway 128
Calistoga, CA 94515
707.942.4234

RECEIVED

JAN 15 2008

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

December 27, 2007

Re: Bennett Lane Winery

Planning Commission
1195 Third Street, Suite 305
Napa, CA 94559

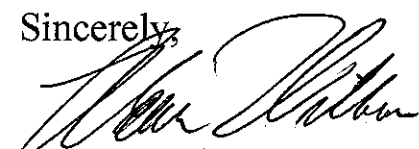
To Whom It May Concern,

We are writing to express concern about the proposed expansion of Bennett Lane Winery. As neighbors we are aware of the increase in traffic, noise, light and events that comes with the increase in size of a winery. BLW already has traffic problems due to its position at the curve of Highway 128 and Bennett Lane. These will be exasperated by more trucks bringing equipment and grapes. This is an unsafe area with no turn lane and speeding traffic.

We are concerned about water use if the size of this winery is increased. This is an area that has limited water, where wells go dry in the late summer, and though the winery's useage will be deemed within your standards, it will have a negative effect on existing surrounding properties. Historically, this agricultura area was dry-farmed and there was no wine production.

We ask you to deny Bennett Lane Winery's request for expansion.

Sincerely,

 Nancy Wilson
Warren and Nancy Wilson

✓ cc: Diane Dillon, Supervisor, District 3

12/19/2007

We are the property owners right next to Bennett Lane Winery we are totally opposing any kind of expansion to this already dreadful operation, this has depreciated our property the value considerably it does not fit into the area and it should have never have been placed there ever it looks awful all those large barrel plastic tanks endless lights from cars, we had plans to build on a 1 acre parcel and after that winery was placed there we could not build our retirement dream, if you view from our side it looks like a awful site off plastic barrels tubes it has depreciated the value off our property, and our reason for wanting to be in such a beautiful area, I totally would oppose any kind off expansion, we also have not gotten a notice of this action, except this letter, We had our properties brought down in value, not only that but also our dream off a nature area, and preserving it, this unsightliness off already existing plant can not be impacted to be even made larger, We stand and agree with everybody not to allow this for impact on all housing around us;

Thank you

Josef & Guile Scigliano

1151 Bennett Lane Calistoga

December 18, 2007

To Whom It May Concern
Planning Commission
1195 Third Street, Suite 305
Napa, CA 94559

Re: Proposed Expansion of Bennett Lane Winery

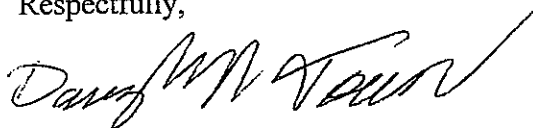
This letter is to express our concerns about, and objections to, the proposed expansion of Bennett Lane Winery. As residents of the general area, we suffer, along with those living directly adjacent to the Winery, from the associated noise, traffic, use of the limited water supply, and the visual degradation of the area from the commercial/industrial nature of the facility.

As vineyard owners we understand and accept that there must be wineries and tasting rooms to distribute the wines of the Napa Valley. However, the Bennett Lane Winery was approved at a size that was appropriate for the rural/residential nature of our area, and the proposed expansion exceeds what was previously considered an upper limit on the size of the facility. We know of nothing that has changed that would now make a larger capacity acceptable than that which was previously allowed. In fact, if anything has changed it is that additional wineries and tasting rooms have been approved in our area, placing further pressure on the limited water supply, the capacity of our two-lane highway, and the intrusion of commercial/industrial facilities on our living space.

We respectfully request that the Planning Commission hold this winery, and all the others that are coming into the small space between Tubbs Lane and Bennett Lane to a very modest size that is compatible with our area.

Finally, I have been very concerned to read in several national publications that the Napa Valley is no longer the desirable visitor's attraction that it once was, owing to increased development, noise, and traffic. We ask the Napa Planning Commission to consider the negative impacts that increased development has on the quality of life for us as well as the attractiveness of our area to those who are seeking a quiet and rural atmosphere to visit. Increasingly, those in the Sonoma area are touting their area as more enjoyable and rural than our valley, and many tourists are starting to agree.

Respectfully,



Douglas M. and Dora Lee Towne
3200 Hwy 128
Calistoga, CA 94515