HolmanTeague
real estate law • land use law • business law • climate change law

May 12, 2014

RECEIVED
MAY 12 2014
Napa County Planning, Building
& Environmental Services

Shaveta Sharma
1195 Third Street
Second floor
Napa, CA 94559

Via Hand Delivery

RE: Castellucci Family Winery (P13-00140)

Dear Shaveta,

I represent the Castellucci family on this project. During and after the Planning Commission's April 16 hearing, Commissioners and Mr. Pelosi posed a number of questions. This letter and the attached materials address those questions.

Variance from Zinfandel Lane Setback

Mr. Pelosi and his counsel voiced concern that procedural noticing requirements had not been met for a variance from the 600' setback from Zinfandel Lane. Mr. Pelosi also voiced concern that a variance from the Zinfandel Lane setback poses a safety issue. While the potential safety impacts that could result from an approximately 500' setback are unclear to us, we have revised the project so that the winery complies with the 600' setback from Zinfandel Lane. A revised site plan was submitted to staff on April 28, 2014 and also is attached. Based on this revision, a variance from the Zinfandel Lane setback is unnecessary.

Grape Importation

Mr. Pelosi's attorney has argued that a higher percentage of grapes will be imported than the 45% noted in the Traffic Impact Report dated February 22, 2014 prepared by Crane Transportation Group (CTG). To address this question, CTG evaluated traffic impacts from 100% grape importation, which is the most conservative analysis possible. As stated in the attached memorandum, traffic impacts remain less than significant even with 100% grape importation. It is noteworthy that the Castellucci family owns or has under contract 50 acres of vineyard in the St. Helena and Rutherford AVA's. Therefore, grapes imported to the winery are traveling a short distance.

Events During Harvest

Mr. Pelosi's attorney noted that the Traffic Impact Report's tables reflecting harvest Fridays and harvest Saturdays traffic volumes do not include marketing event traffic. This was not an error. Marketing events were intentionally omitted from these tables because the applicant does not wish to add to traffic during these peak times. To ensure that marketing event traffic does not add to peak traffic on harvest Fridays and harvest Saturdays, the applicant proposes the following language be added to proposed condition of approval 12.B.

> Marketing events will not be scheduled to begin or end during peak p.m. travel times during harvest (i.e. 3:30 to 6:00 p.m. on harvest Fridays & 1:30 to 4:00 p.m. on harvest Saturdays).

Visitation

Based on Commissioner comments during the April 16 hearing, the applicant proposes reducing the number of tastings per week from 300 to 210. Maximum tastings would remain at 50 per day. The weekly maximum of 210 tastings results in average of 30 tastings per day. This level of visitation is in keeping with winery trends towards direct to consumer sales, which the Planning Commission discussed in depth in its recent consideration of the Titus Winery.

	Production	Max Tastings	Tastings/week	125-person events	Total events
Titus	24,000	40	210	12	20
Castellucci	30,000	50	210	2	17

Left Turn Lane

During the April 16 hearing, Mr. Pelosi and his counsel voiced concern that the proposed length of left turn lane's taper was insufficient and questioned the actual speeds on Zinfandel Lane. To respond to this concern, the CTG conducted a speed study to confirm actual speeds on Zinfandel Lane in the project vicinity. The applicant also has moved the proposed entry to the east 30 feet, widened the turn lane's pocket, and extended the lane's taper to 205 feet. The revised left turn lane design is attached. With these adjustments, the left turn lane meets CalTrans criteria for a left turn lane based on the actual speeds observed in CTG's speed study.

Silverado Trail Entrance

As explained in the attached memorandum from CTG, a winery entrance on Silverado Trail poses safety and environmental issues including possible impacts to a drainage leading to the Napa River. An entrance on Silverado Trail also would require removal of additional vineyard. For the reasons stated in the attached memorandum, an entrance on Zinfandel Lane is safer and poses fewer environmental impacts. Therefore, the applicant is not proposing access from Silverado Trail.

Zinfandel Lane Speed Limit

The Castellucci family completely agrees with the need for a reduced speed approaching the bridge over the Napa River. The current speed limit is not within the control of the applicant, but we would encourage the Public Works Department to install signage similar to that installed at the Oakville Crossroad bridge.

Voluntary Best Management Practices Checklist

The applicant has submitted a revised Voluntary Best Management Practices Checklist to reflect currently planned practices with GHG reduction potential. With the benefit of more time, the applicant has identified additional measures that may be incorporated into the project. This Checklist was submitted to staff on April 29, 2014 and also is attached.

Water Use

Representatives of the Mt. Veeder Stewardship Council requested further information regarding the project site's available water. There seemed to be some confusion on the scope of the County's Water Availability Analysis ("Phase One"). The Phase One addresses groundwater use, which the County has regulated through its Groundwater Conservation Ordinance since 2003.[1] Water diversions from the Napa River are regulated and monitored by the State. The State requires annual Statements of Diversion and Use, which tracks water use by licensed users.

The property is dry farmed, which winemaker Jack Cole confirmed at the April 16 hearing. That farming practice is not planned to change. In the event irrigation was implemented, the applicant would first look to surface water diversion from the Napa River to irrigate the vineyard. The property's existing permit allows diversions from "about May 1st to about October 1st of each season." The permit does not allow storage of water of diverted water from one season to the next, but diverted water

[1] Napa County Code Chapter 13.15.

may be stored in the onsite pond for use during the season in which it is diverted.[2] Additionally, the pond can legally collect and store sheet flow[3] failing into the pond and the vineyard's drainage system for use in later seasons.

In the event that the property was no longer dry farmed *and* water from the Napa River became unavailable, groundwater could be used to irrigate the vineyard. The property's fair share allocation of groundwater is 19.3 acre-feet per year. The property has approximately 14 acres of vineyard, and the total winery/residential water use is 1.85 acre feet. Under Napa County's Estimated Water Use Guidelines, the maximum expected water use for vineyard totals 1 acre foot per acre, which would be a drastic departure from the applicant's current farming practices. Even under that most conservative scenario, the property's total water usage would be 15.85 acre feet, which is within the fair share allocation for this property.

Lastly, the following condition of approval applies to the project's groundwater use:

> The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Planning, Building and Environmental Services determines that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. Data requested could include, but would not necessarily be limited to, water extraction volumes and static well levels. If the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices.
>
> In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the Director of Planning, Building and Environmental Services shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the Director has provided notice and the opportunity for hearing in

---

[2] California water rights law defines "storage" as the diversion and holding of water from one irrigation season to the next. (*Colorado Power Co. v. Pacific Gas & Electric Co.* (1933) 218 Cal. 559; 62 Cal. Jur. 3d Water § 141) Riparian and appropriative users are permitted to hold water in a pond or other container for use in that season.

[3] Sheet flow is "a flow of water that originates from precipitation, snowmelt, or rising groundwater that covers a large aerial extent of the ground surface in a relatively thin film and is not concentrated into a watercourse."

compliance with the Napa County Code §13.15.070 (G-K). (Condition 13.A.)

Like all conditions of approval, this condition would be binding and enforceable by Napa County.

As promised during the May 7 hearing, this letter and the attached materials respond to the questions raised by the Planning Commission and neighbors. The project's traffic engineer and civil engineer will be available on May 21, 2014 to answer any further questions, and we look forward to proceeding with the project application on that date. Please feel free to contact me with any questions. Thank you.

Sincerely,

Rob Anglin

cc: Planning Commission (via email)
Antonio Castellucci
Jon Webb
Paul Wilkenson (Public Works)
Peter Corelis (PBES)
Scott Greenwood-Meinert (DPF)

DICKENSON PEATMAN & FOGARTY

1455 First Street, Suite 301
Napa, CA 94559

T: 707.252.7122
F: 707.255.6876

SCOTT GREENWOOD-MEINERT
scottgm@dpf-law.com

April 21, 2014

RECEIVED
APR 21 2014
Napa County Planning, Building
& Environmental Services

VIA HAND DELIVERY & EMAIL: Planning@countyofnapa.org

Napa County Conservation, Development &
Planning Commission
County Administration Building
1195 Third Street, Second Floor
Napa, CA 94559

Re: Castelluci Family Winery
Use Permit (P13-00140), Road Exception, and Variance(s)

Dear Commissioners and Staff:

We represent the Pelosi family, the owners of 11 Zinfandel Lane in St. Helena, CA and neighbors to the proposed Castelluci Family Winery site on APN 025-160-006. We appreciate the Commission's decision to grant a continuance until May 7, 2014 so that additional information regarding the proposed winery can be collected and submitted for the Commission's consideration.

As we stated at the April 16, 2014 hearing, our client is not opposed to construction of a winery, but wants to ensure that the community and the Commission have had adequate notice and information to fully evaluate the proposed project. To that end, our client is sending a letter to residents on Zinfandel Lane informing them of the scheduled May 7 hearing.

We also wish to provide the Commission with further explanation about the concerns we raised during the hearing. As stated in more detail below, we request that the County take the following steps prior to granting any use permit, Road Standards exception, or variance for the proposed site:

1. Preparation of a Safety Study in order to make necessary findings regarding the effect on public welfare and safety of granting a Road Standards exception related to a 175 ft. left turn lane transition on Zinfandel Lane;
2. Revisions to the current Circulation Study in order to take into account the specific marketing and grape sourcing demands of the proposed project;
3. Consideration of other alternatives that would minimize the potential for safety issues on Zinfandel Lane, such as reducing the speed limit;
4. Compliance with the procedural and notice requirements in connection with the Zinfandel Lane 600 ft. setback variance;
5. Review of the current draft negative declaration in order to account for the safety issues arising from the Road Standards exception and revised Circulation Study.

I. BACKGROUND

A. Applicants request a use permit for a new winery with a high volume of visitors and events; a Road Standards exception for a left turn lane; and two road setback variances.

Applicants have proposed the development of a 30,000 gallon winery with marketing activities that County staff admits are at the high end of the spectrum related to peer wineries.[1] Specifically, Applicants propose construction of new winery buildings totaling 12,376 sq. ft. at 3 Zinfandel Lane. The new structures will be located 139 ft. from Silverado Trail and 500 ft. from Zinfandel Lane.[2]

In addition, Applicants seek a use permit that would allow them to host up to 50 visitors per day seven days a week[3] and hold 19 total events between the hours of 10am to 10pm.[4] The events are broken out as follows:

1. 12 promotional tastings with meals, maximum 25 guests;
2. 3 marketing events, maximum 60 guests;
3. 2 marketing events, maximum 125 guests; and
4. 2 harvest events, maximum 50 guests.

The proposed winery entrance is located on the north side of Zinfandel Lane a "Level of Service F" ("LOS F") rated street between Highway 29 and Silverado Trail. LOS F roads are described in the draft negative declaration as: "Forced breakdown conditions. This condition exists wherever the volume of traffic exceeds the capacity of the roadway. Long queues can form behind these bottleneck points with queued traffic travelling in a stop-and-go fashion."[5] The entrance is about 270-300 ft. to the east of a historic bridge over the Napa River.

Applicants have proposed creating a left turn lane commencing very shortly after the historic bridge travelling eastbound on Zinfandel Lane to service the winery entrance and request an exception to the Napa County Road and Streets Standards (the "Road Standards") that would greatly reduce the required length of the lane transition leading up to that turn. The Road Standards require a 600 ft. lane transition, but the proposed transition would be less than 1/3 that size, approximately 175 ft.[6]

Applicants also seek two variances from the 600 ft. winery setback requirements found under County Code Sec. 18.104.230(a)(1): one for the property's border on Silverado Trail and one for the border with Zinfandel Lane.[7]

---

[1] Napa County Planning Commission Board Agenda Letter (the "Staff Report") at Exh. A, p. 4.
[2] Staff Report at Exh. E, p. 3.
[3] The Staff Report states that the winery would have 300 guests per week on average. It is unclear to us how that number was calculated and there is nothing in the staff report that supports that figure.
[4] Staff Report at Exh. A, p. 4.
[5] Staff Report at Exh. E, p. 17.
[6] Staff Report at Exh. E, p. 17.
[7] Staff Report at Exh. G (Use Permit and Variance Application) ("The property is located at the corner of Zinfandel Land and the Silverado Trail. The proposed location of the Winery will not meet the 600 foot setback from the center line of the Silverado Trail or Zinfandel Lane.").

B. County staff failed to make any findings regarding the potential safety issues arising from the proposed Road Standards exception or the Zinfandel Lane 600 ft. setback variance.

In reviewing the use permit application, County staff requested preparation of a traffic study (the "Circulation Study") that was limited in scope to determine if the proposed project would "result in any significant circulation system impacts."[8] Neither the Circulation Study nor the staff report contains any findings related to the potential safety issues arising from the Road Standards exception that would reduce the proposed left turn lane transition from 600 ft. to 175 ft.

Although the Staff Report has written findings to support the variance from the 600 ft. setback from Silverado Trail, there is no mention of Applicant's request for a variance from the Zinfandel Lane setback requirements.

C. The Planning Commission holds a hearing on April 16, 2014 and grants a continuance so that additional information regarding the safety issues surrounding the project may be examined more closely.

The Planning Commission hearing on April 16, 2014 to consider the Castelluci Family Winery use permit and staff recommended that the Commission approve the use permit, the Road Standards exception for the left turn lane, and the variance related to the Silverado Trail setback. While the Commission agenda mentions those parts of the pending application, the agenda did not disclose the applicants' request for a variance for the Zinfandel Lane setback.

During the April 16 hearing, Commissioner Fiddaman expressed concern that additional information — including information regarding the potential traffic safety issues arising from the reduced taper of the turn lane and the potential option of having the winery entrance on Silverado Trail — was needed to make an informed decision on the proposed project. A number of other Commissioners also expressed concern regarding signage and speed issues on Zinfandel Lane. The Commission voted 4 to 1 to continue the hearing until May 7.

II. ARGUMENT

A. The Commission should instruct staff to initiate a Safety Study and make findings regarding the effect of reducing the left turn lane transition and granting the Road Safety exception.

The County cannot grant an exception to the Road Standards, such as the reduced length of the left turn lane transition, without first conducting an analysis of the impact on public safety. An exception under 3E of the Road Standards is permitted only if the County finds that granting the exception "provides the same overall practical effect as [the Road & Street] Standards towards providing defensible space, and consideration towards life, safety and public welfare. Monetary hardship alone shall not be considered as a basis for an exception."[9]

---

[8] Staff Report at Exh. I, p. 1.
[9] Napa County Road & Safety Standards at 3E.

According to the Staff Report, the Road Standards require a 600 ft. lane transition leading up to the proposed left hand lane turn.[10] Applicants propose construction of a new left-turn lane on Zinfandel Lane that has a 175 ft. transition[11] in order to avoid having to widen the historic bridge that spans the Napa River to the west of the proposed entrance.

Staff failed to make any findings regarding the potential impact of the reduced taper length on the safety of commuters. Instead, Staff concluded that granting the exception would have the "same overall practical effect" of the Standards based on findings related solely to provisions for emergency response requirements. The relevant section of staff's analysis is:

> "Approval of this exception as conditioned will comply with emergency access and response requirements. The exception has been reviewed by the Napa County department s and divisions responsible for emergency services and will [sic] not have negative impacts on the public health, safety or welfare."[12]

The Circulation Study requested by the County does not provide any support for a finding that granting the exception would not have any effect on public safety. The study was limited in scope and, per the County's request, was focused solely on looking on "circulation system impacts." Although the study concluded that project traffic combined with the existing conditions on Zinfandel Lane warranted a left turn lane going eastbound on Zinfandel Lane, there is no analysis of the effect of reducing the transition from 600 feet to 175 feet. Nor is there any consideration of how this exception, combined with the average speed of commuters using Zinfandel Lane and the scope of the proposed winery visitation and marketing events (and the interplay of those events with LOS F conditions on the land), would affect public safety.[13] This is not a fault of the consultant, as his only mandate was to focus on circulation issues. The County should have requested a more robust safety study in order to make findings sufficient meet the requirements of Road Standards Section 3E.

Applicant also submitted a Road Exception request that is similarly devoid of any thorough consideration of the safety issues arising from the reduced lane transition. Applicant's consultants submitted a letter which included the following conclusory statement: "A reduced taper length is appropriate for this scenario because the design speed for vehicles on this segment of road is much less than the 55 mph design speed used for the County standard left turn lane layout."[14] The report does not provide any analysis of how a transition lane **less than 1/3 the size of the required length** would be appropriate on a road with a 45 mph speed limit.

The Commission must make findings that there will be no adverse impact to the welfare and safety to the public should before granting the Road Standards exception. Additional information is needed in order to reach that conclusion, including but not limited to a Safety Study that addresses the public welfare and safety implications of creating reduced left turn lane transition going east on Zinfandel Lane towards the proposed winery. In addition, this analysis must take

---

[10] Staff Report at Exh. A, p. 5.
[11] Staff Report at Exh. E, p. 17.
[12] Staff Report at Exh. B, p. 3.
[13] Napa County Public Works requested a traffic study limited to determining if the proposed project would "result in any **significant circulation system impacts**." Staff Report at Exh. I, p. 1 (emphasis added). It does not appear that Public Works requested that the traffic consultant review safety issues.
[14] Staff Report at Exh. H, p.3.

into account the extensive marketing events contemplated by the project, which includes two events with up to 125 guests and five events with 50-60 guests. Therefore, we respectfully request that the Commission instruct staff to conduct a Safety Study focused on the particular impacts of reducing the length of the left turn transition will have on Zinfandel Lane in light of the unique features of the bridge and the road itself, and taking into account the scope of the proposed project.

B. *Staff must request a revised Circulation Study to take into account flawed assumptions found in the initial study and should also consider alternatives to ensure public welfare and safety.*

A revised Circulation Study is also warranted to more accurately assess the traffic issues arising from the project by taking into account the extensive marketing events proposed by applicant as well as the winery's grape sourcing requirements.

The study requested by the County did not take into account potential increase in traffic from the proposed winery's marketing events. As stated before, there are 19 proposed events, two of which will have up to 125 guests, two events of 60 people, and two "harvest events" of up to 50 guests. The traffic study, however, does not account for these events in determining the additional number of trips and peak hour trips arising from these events. See Staff Report, Exh. I at Tables 5A and 5B.

Moreover, the traffic study calculations relied on an assumption that only 45% of the grapes used for production will be transported to the site,[15] whereas the County's own figures conclude that over 80% of the grapes will be sourced off-site. According to the staff report, "The grapes available from the estate would supply approximately 5,600 gallons annually."[16] This is equal to 18.7% of the winery's 30,000 gallon capacity, meaning 81.3% of the wine produced at the facility comes from grapes sourced off-site.

The continuance granted on April 6 provides the Commission with time to request that traffic study calculations be conducted in a manner that accounts for the marketing and sourcing requirements of the proposed project. We request that the Commission instruct staff to correct these underlying issues in conducting a revised Circulation Study.

The Commission should also explore other options that may minimize the potential for safety issues on Zinfandel Lane arising from the proposed winery, including (a) examining a potential entrance on Silverado Trail;[17] (b) a reduction in the maximum number of guests per day and marketing events; (c) reducing the speed limit on the west half of Zinfandel Lane and adding more signage to promote safe driving.

C. *The County must comply with County Code procedural and notice requirements before granting a variance to the required 600 ft. setback from Zinfandel Lane.*

1. *County staff has failed to provide any findings regarding the Zinfandel Lane 600 ft. setback variance or its impact on public safety.*

---

[15] Staff Report at Exh. I, p. 2.
[16] Staff Report at Exh. A, p.6.
[17] The project already calls for a new residential driveway on Silverado Trail.

The Napa County Code requires wineries to have a 600 ft. setback from the centerline of any state highway, Silverado Trail, or any "arterial county road."[18] Zinfandel Lane between Highway 29 and Silverado Trail is considered an "arterial county road" under County Code Sec. 18.112.070(19).

To grant a variance from this setback requirement, the Commission must follow strict procedural requirements set forth in County Code Sec. 18.128.060 and make written findings regarding the affect of granting the variance. For example, the County Code requires written findings by the Commission that granting the variance "will not adversely affect the public health, safety or welfare of the County of Napa."[19]

Applicant concedes that "[t]he proposed location of the winery will not meet the 600 ft. setback from the center of the Silverado Trail or Zinfandel Lane" and indeed requested a variance as to both the Zinfandel Lane and Silverado Trail setback requirements.[20] County staff also concluded that the winery is only 500 ft. from Zinfandel Lane.[21] Yet, staff has failed to comply with the procedural requirements of the County Code in evaluating this variance request. In contrast, staff provided written findings in connection with the Silverado Trail setback variance, including a finding that the variance "will not adversely affect the public health, safety or welfare of the County of Napa," nor "affect any underlying groundwater basin."[22]

If the Commission grants the use permit application as currently constituted, it would *de facto* grant a variance as to the Zinfandel Lane setback requirements without following the procedural requirements of Code Sec. 18.128.060. We, therefore, ask that the Commission instruct staff to evaluate the Zinfandel Lane setback variance requested by Applicant and issue written findings as required under the County Code.

2. *The County must also comply with the notice requirements and properly alert the public that the proposed project requires a variance regarding the 600 ft. setback from Zinfandel Lane.*

The Commission should also ensure that the public receives proper notice that it is considering a variance from the Zinfandel Lane setback requirements. The Agenda for the April 16, 2014 hearing states that applicant sought a variance "to encroach approximately 460 ft. from the required 600 ft. setback from Silverado Trail," but failed to mention that the proposed winery also requires consideration and approval of a variance for the setback from Zinfandel Lane. Proper notice of any variance is required under the County Code.[23]

---

[18] Napa County Code Sec. 18.104.230(A)(1).
[19] Napa County Code Sec. 18.128.060(A)(4).
[20] Staff Report at Exh. G
[21] Staff Report at Exh. E (Draft Negative Declaration), p. 3. There is some conflicting information regarding exactly how far the winery is set back from Zinfandel Lane, by all accounts, it is less than 600 ft. Compare Staff Report at Exh. E, p. 3 (500 ft.) with Staff Report at Exh. G (590 ft.).
[22] Staff Report at Exh. B, p.1-2.
[23] Napa County Code Sec. 18.128.040.

D. County staff must also revise the draft negative declaration in order to account for the safety issues arising from the Road Standards exception and the issues surrounding the current traffic study.

County staff prepared a draft negative declaration which included a number of findings related to transportation and traffic and which relied on the current circulation study.[24] As we noted in Section II.A above, we believe a new safety study is required to fully analyze the potential impact of the Road Standards exception and that there is a need for a revised circulation study due to certain inconsistencies in the assumptions contained therein. County staff should revise its negative draft declaration in light of any new findings regarding the safety issues surrounding the Road Standards exception and any changes to the circulation study.

III. CONCLUSION

The Pelosi family would like to thank the Commission for its expressed interest in further analyzing the public welfare and safety concerns arising from the proposed project. We believe the continuance provides the Commission and the community an opportunity to look at these issues more carefully.

As the Commission acknowledged during the April 16 hearing, the traffic and safety issues at this particular location are of great concern not only to the immediate neighbors, but also to residents and visitors that use Zinfandel Lane as a conduit between Highway 29 and Silverado Trail. The scope of the proposed winery and its marketing events will exacerbate these issues.

We, therefore, request that the Commission closely examine the issues highlighted in this letter; instruct staff to conduct the requested Safety Study and revised Circulation Study; consider all possible alternatives to protect public safety in connection with the proposed project; comply with the procedural and notice requirements related to the Zinfandel Lane setback variance; and review the conclusions drawn in the draft negative declaration.

Thank you for your attention to this matter.

Sincerely,

Scott Greenwood-Meinert
Dickenson, Peatman & Fogarty

cc: Paul Pelosi
Antonio Castellucci
Jon Webb, Albion Surveys

[24] Staff Report at Exh. E., pp. 16-18.

Sharma, Shaveta

From: Rob Anglin <anglin@htralaw.com>
Sent: Monday, May 12, 2014 4:27 PM
To: Sharma, Shaveta
Cc: Gallina, Charlene; Anderson, Laura
Subject: Castellucci
Attachments: Castellucci BMPS 4-29-14.pdf; 3351-USE_EXH.pdf; 3351-USE_05-09-14.pdf; 12-142exh-LEFT TURN LANE CONCEPT EXHIBIT_051214-Signed.pdf

Shaveta,

As promised at the May 7 hearing, I submitted additional information on Castellucci. I have delivered the materials to Charlene just after 3:00 this afternoon. Graphics are attached for your use. I've also attached the revised GHG BMP checklist. I understand Jon Webb submitted it to you previously, but I'm attaching just to be sure. Also, I am sending all submitted materials to Mr. Pelosi's attorney this afternoon.

If you have any questions, please feel free to give me a call. Thanks.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
707.363.8116 (cell)

anglin@htralaw.com

Sharma, Shaveta

From: Rob Anglin <anglin@htralaw.com>
Sent: Monday, May 12, 2014 4:36 PM
To: Sharma, Shaveta
Cc: Gallina, Charlene; Anderson, Laura
Subject: Fwd: Castellucci Family Winery
Attachments: Sharma ltr 5-12-14.pdf; CTG Castellucci 5-12-14.pdf; Castellucci BMPS 4-29-14.pdf; 3351-USE_EXH.pdf; 3351-USE_05-09-14.pdf; 12-142exh-LEFT TURN LANE CONCEPT EXHIBIT_051214-Signed.pdf

Shaveta - Just an FYI that I forwarded all materials to Mr. Pelosi's attorney.

Rob

Begin forwarded message:

From: Rob Anglin <anglin@htralaw.com>
Subject: Castellucci Family Winery
Date: May 12, 2014 at 4:33:09 PM PDT
To: Scott Greenwood-Meinert <scottgm@dpf-law.com>

Scott,

Please find attached my letter and associated materials regarding this project. After the May 7 hearing, Mr. Pelosi indicated he wanted to review these materials before meeting with Mr. Castellucci regarding his concerns. If Mr. Pelosi is willing to meet with Mr. Castellucci, we would be happy to do so.

Thank you.

Rob Anglin
Holman Teague Roche Anglin, LLP
1455 First Street, Suite 217
Napa, California 94559
707.927.4280 (main)
707.927.4274 (direct)
707.363.8116 (cell)

anglin@htralaw.com

Sharma, Shaveta

From: Linda Alioto <aliotorealty@aol.com>
Sent: Friday, May 09, 2014 2:21 PM
To: Sharma, Shaveta
Subject: Castelluci Family Winery

Follow Up Flag: Follow up
Flag Status: Completed

Napa Valley Conservation, Development & Planning Commission
County Administration Building
1195 Third Street, Second Floor
Napa, CA 94559
Attention: Ms. Shaveta Sharma

Dear Commission Members:

I write in wholehearted support of the application of Antonio Castellucci and his family to construct a winery at 3 Zinfandel Lane in St. Helena. I know Mr. Castellucci and the quality winery he intends to build. I have lived in St. Helena since 1994 part time and since 2003 full time.

I beleive that the claims of excessive traffic are exagerated. Zinfandel Lane east of Highway 29 is lightly traveled. As you know, St. Helena is the heart of Wine Country. And the operation of a winery is a typical use here. I have every confidence that the winery built by Mr. Castellucci on this property will be an asset to Napa Valley in general and St. Helena in particular.

I greatly appreciate your consideration of my viewpoint in your deliberations.

Best Regards, Linda

Linda Alioto, Esq., Realtor
Wine Country Group *by* Better Homes & Gardens
1316 Main Street, St. Helena CA 94574
707.694.3541 **www.aliotorealty.com**

Date: May 10, 2014

To: The Member of the Napa County Planning Commission

Dear Commissioners,

Thank you in advance for taking the time to read my letter of support for the Castellucci Family Winery located at 3 Zinfandel Lane.

My name is Jeff Feeney, and I have been working in commercial real estate for well over a decade, focusing on commercial Napa Valley properties.

Prior to Mr. Castellucci purchasing the property, I toured several prospective buyers on the site and personally worked on assembling a group to buy the property. The main reasons were that the size, location and layout of the property seemed to be an ideal location for a winery, clearly its highest and best use. Each different time I toured the property, I could easily envision people coming to visit and experience the winery, and enjoy what Napa Valley is all about….it just felt right. I am 100% in support of this project for the Castellucci Family, or anybody else, who would be applying for the same project at this location.

Without exception, each client I toured on the property, perceived a layout which included the entrance and exit to be off of Zinfandel Lane. It makes sense and is safe. There is an old bridge to the west of the property and it is the perfect, built-in decelerator for all vehicles approaching or passing 3 Zinfandel Lane. Having the visitors to this property enter and exit on Zinfandel Lane is the safest way to go.

Any thoughts of vehicles entering onto, or off of, Silverado Trail can be quickly dismissed by driving past the property on the Trail. The cars are going way too fast, there is a curve, an incline and the visibility is clearly inadequate to have cars entering and exiting onto a road, especially with the speed and frequency of the cars on Silverado Trail. I drive Silverado Trail almost daily and it is clearly a bad idea. As a matter of fact, for the northbound traffic, there is already a left-turn lane at the intersection of Zinfandel and Silverado Trail….it's a natural fit to keep traffic using that left turn lane, and then enter and exit onto the property from Zinfandel Lane.

In my opinion, the scope of the project, the quality of design & layout, and the location of the property make supporting this project a no-brainer for me.

In closing, I ask that you please grant Mr. Castellucci his application request for his project…it's the right thing to do.

Sincerely,

Jeff Feeney
St. Helena/Napa Valley Resident
Cell (707) 580-5678

May 12, 2014

Ms. Shaveta Sharma
County of Napa Planning Department
1195 Third Street
2nd Floor
Napa, CA 94559

RE: Castellucci Family Winery, St Helena CA. SENT VIA EMAIL

Ms. Shaveta,

I am writing to voice my support for the Castellucci Family Winery here in St Helena. Being the father of a family of 5, local to the project and a long time St. Helena resident. I am more than pleased to see the attention to a left turn lane into the site as well as the overall plan itself, this in my opinion provides the safest overall traffic solution compared to entering from Silverado Trail. I have seen the proposed winery and believe that it is a welcome addition to our community, a pristine project and a perfect fit for the property, truly a Family Winery operation.

Please feel free to contact me regarding this project and thank you for your time.

Sincerely,

John Lynch

3 Zinfandel Lane
St Helena, CA 94574
JohnfLynch100@gmail.com

Cc: file

WHITEHALL LANE
WINERY & VINEYARDS

May 2, 2014

Mr. Paul F. Pelosi
235 Montgomery Street – Suite 610
San Francisco, CA 94104

RECEIVED
MAY 5 2014
Napa County Planning, Building
& Environmental Services

Re: Castellucci Family Winery Project

Dear Mr. Pelosi:

Thank you for your recent letter of concern about the proposed new winery on Zinfandel Lane. Your "package" was sent to my vineyard on West Zinfandel Lane. As you can see, I am also in the wine production business nearby.

Obviously, new construction and the activities at a winery next door would create a situation that interrupts your real concern: the quiet enjoyment of your property. Please be open with your desires; "public safety" is not your main concern. Are you really so concerned about Public Safety that you hired Napa County's largest law firm to attack a neighbor and the County of Napa's Planning Department? The law firm of Dickenson Peatman & Fogarty will create facts for any point of view their client wishes.

I do agree that it is unfortunate that you found out about the project through a public notice rather than a visit by your neighbor. However, since neither you nor the Castellucci's live at the properties, I understand how it might be difficult to act neighborly.

I think the Castellucci Family has the right to use their property in a manner commensurate with local rule. After all, you have a winery permit, the William Harrison Winery is across the street from you and two very large winery facilities, The Ranch and Raymond, are close by. There are smaller wineries, Kellham and Roots Run Deep Winery on Zinfandel Lane, not to mention a few bed and breakfast inns. If our elected and appointed officials deemed that this project falls within what is acceptable, why would you question them? Was public safety a concern of yours when you applied for your use permit? When your Use Permit was being reviewed, did you and your lawyers propose a slower speed limit for the bridge on Zinfandel Lane in your concern of public safety?

Don't you agree there are a number of more dangerous bridges in Napa Valley. Have you ever been lined up trying to get across the Pope Street Bridge? The bridges on the Rutherford Cross Road can be treacherous for drivers, cyclists and pedestrians too. Any concern about those or is it just the Zinfandel Lane bridge that has you concerned?

1563 St. Helena Hwy, St. Helena, CA 94574
ph: 707-963-9454 fax: 707-963-7035
www.whitehalllane.com

You and your law firm should reevaluate your "concerns" and appreciate that the Napa County Planning Department is seriously reviewing this project and that our appointed and elected public officials will get this right without yours and your law firms petitioning efforts.

In vino veritas,

Thomas Leonardini Sr.
Proprietor

cc: Napa County Planning Commission
Castelluci Family Winery

CARMEN & GREG FRANCESCHI
1635 West Zinfandel Lane
St. Helena, CA

Napa County Conservation, Development &
Planning Commission
County Administration Building
1195 Third Street, Second Floor
Napa, CA 94559

Re: Castellucci Family Winery
Use Permit (P13-00140), Road Exception and Variances

Dear Commissioners and Staff:

My husband and I live at 1635 West Zinfandel Lane, St. Helena, and we are in support of proposed Winery. If you have any questions, please do not hesitate to contact me directly at 415-296-3713.

Thank you.

Warm regards,

Carmen Castro Franceschi
415-296-3713

Sharma, Shaveta

From: Ron Nicholsen <ron@kelhamvineyards.com>
Sent: Friday, May 02, 2014 11:59 AM
To: Sharma, Shaveta
Subject: Castelluci Family Winery

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern-

This is a letter in support regarding the Castelluci Family Winery- #P13-00074. I am a property owner at 360 Zinfandel Lane St. Helena 94574. Our property is 10.9 acres with a 75,000 gallon annual wine production permit. My family has owned and produced wine for the last 16 years at the above address. I have an Architectural and Planning degree from the University of Colorado at Boulder.
Zinfandel lane has been home to a number of wineries over the years; two wineries with high volume permits. I believe the addition of the Castelluci Family Winery will make a thoughtful addition to the industry and promote a unique experience represented by the Castelluci family character. Mr. Castelluci has hired extremely talented and successful architects to design and stage his families winery. I believe the scale of production is modest regarding the site and existing network of roads. The suggestion of traffic studies on this location is unfounded. I myself understand the impact the proposed winery will have on Zinfandel Lane, a traffic study will prove nothing because of the modest tour volume and production limits. I believe in the counties findings and would suggest approval of this project.
Please feel free to contact me with any questions regarding this project.

Ron Nicholsen, Proprietor
KELHAM VINEYARDS
Winery | Growers
OAKVILLE NAPA VALLEY

JIM LARKIN
493 ZINFANDEL LANE
ST. HELENA, CA 94574

May 6, 2014

VIA FAX AND EMAIL: Planning@countyofnapa.org

Napa County Conservation, Development &
Planning Commission
County Administration Building
1195 Third Street, Second Floor
Napa, CA 94559
FAXL: 707-253-4336

Re: Castellucci Family Winery (Use Permit (P13-00140))

Dear Commissioners and Staff:

As a Napa County resident and owner of 493 Zinfandel Lane in St. Helena, I write to express my concerns about the proposed Castellucci Family Winery (APN 025-160-006). I urge the Planning Commission and its staff to (a) conduct a safety study to evaluate the effect the proposed winery and Road Standards exception will have on public welfare and safety for residents and others that use Zinfandel Lane; (b) explore alternatives to the current proposal that would promote public safety; and (c) ensure that the public has received proper notice of the full scope of the proposed project.

Although I do not oppose the construction of a winery on the Castellucci property, I am concerned that the scope of the project may exacerbate traffic and safety issues already present on Zinfandel Lane. As the Commission is aware, Zinfandel Lane serves as a major conduit between Highway 29 and Silverado Trail. It is a busy street, and although there are posted speed limits on the road, I have observed far too many cars passing by at much higher speeds. This creates safety issues for eastbound traffic, as the road narrows significantly on the historic stone bridge that lies approximately 300 feet to the west of the proposed winery entrance. Moreover, the current proposal would create a left turn lane shortly after crossing the bridge, and a lane transition of 175 feet --- significantly less than the 600-foot transition required under Napa County Road and Street Standards. This all seems very unsafe.

I ask that the Commission and its staff take all necessary steps to better evaluate how the Castellucci winery will impact road safety issues on Zinfandel Lane. I understand that staff requested a "Circulation Study" to evaluate the potential congestion issues arising from the project, but this study is inadequate for a number of reasons. **FIRST**, the Circulation Study failed to take into account the increased traffic from the numerous marketing events for the proposed winery. With seven marketing events with a maximum of 50 or more guests, there is a strong possibility that east bound traffic could be backed up past the bridge, creating not just congestion but also increased safety issues given the speed with which drivers travel on Zinfandel Lane and the reduced transition lane. The Circulation Study should be supplemented to take into account the full effect the proposed marketing events will have on Zinfandel Lane traffic. **SECOND**, the Circulation Study did not take into account life, safety and public welfare concerns arising

from the reduced taper of the left turn lane. The Commission should conduct a "safety study" to evaluate how the combination of the Road Standards exception for the reduced left turn lane taper, the historic bridge, and the traffic and speed on Zinfandel Lane will affect public safety and welfare on Zinfandel Lane before granting any use permit or exception to the Road Standards. To date, there are no findings or data that the Commission can rely on to conclude that the proposed Road Standards exception would "provide[] the same overall practical effect ... towards providing defensible space, and consideration towards life, safety and public welfare" as required under County Road Standards. The "safety study" should also consider all of the other use permits and submitted applications on Zinfandel Lane that collectively have increased, and will further increase, the traffic on Zinfandel Lane.

In addition, the Commission should evaluate alternatives that may minimize traffic and safety issues, such as moving the winery's entrance from Zinfandel Lane to Silverado Trail and adding safety signage and a reduced speed limit on the west half of Zinfandel Lane.

Finally, I ask the Commission to ensure that proper notice is provided to neighbors and residents about the Castellucci Winery's requested variances. It has come to my attention that in addition to the setback variance requested for the Castellucci property's border on Silverado Trail, the Castellucci's have also requested a variance from the setback off of Zinfandel Lane. The Commission should make sure that this variance is properly noticed on future agendas so that residents are made aware of the full scope and impact of the proposed project. I am particularly in why County staff believes a variance is necessary from Zinfandel Lane.

It is my understanding that the Commission is scheduled to discuss this matter on May 7, but that staff has recommended this issue be postponed for hearing until May 21 so that staff can complete its assessment of the project concerns and make a final decision on the Castellucci application. I trust that the Commission will take this additional time to fully evaluate the issues I have raised in this letter prior to granting any use permit or Road Standards exception.

Sincerely,

Jim Larkin

COLD STORAGE PLANT
PETERSON & BROWNING RDS.
MCFARLAND, CALIFORNIA 93250

TELEPHONE:
OFFICE: 661/792-3151
FAX-ADMIN: 661/792-3995
FAX-SALES: 661/792-2683

Marko Zaninovich, Inc.

Grower and Shipper

May 5, 2014

1998 Road 152
DELANO, CALIFORNIA 93215

Mark Luce, Chairman
Napa County Board of Supervisors
1195 Third Street, Suite 310
Napa, California 94559

Dear Chairman Luce and Members of the Board:

As business owners and local land owners in Saint Helena, we wish to express opposition to the large winery project on Zinfandel Lane as currently proposed. The proposal is for a high volume winery and will include marketing and distribution, with visitor opportunities and events scheduled seven days a week.

There are serious public safety and traffic concerns that arise in relation to this project. The draft negative declaration describes the two-way Zinfandel Lane as a "Level of Service F" street, a condition that exists wherever the volume of traffic exceeds the capacity of the roadway. The entrance to the winery is planned a short distance east of the narrow bridge which crosses the Napa River. The project applicants are requesting an exemption to the 600 foot left turn lane transition required by the Napa County Road and Street Standards, for a transition lane of 175 feet. It is easy to imagine how this shortened left turn transition will create a bottleneck on Zinfandel Lane as employees, contractors, and visitors line up for entrance. Adding to this situation is the curved roadway immediately after the narrow bridge that impedes a clean line of sight of the proposed turning lane for drivers coming off the bridge. These safety issues, combined with the increased volume of traffic, will have a serious negative impact on the neighborhood.

As Zinfandel Lane landowners, we urge the Board of Supervisors to direct the Planning Commission to carefully re-examine and revise the draft negative declaration for the proposed winery project to include and address the traffic safety issues described above.

Sincerely,

Andrew T. Zaninovich
Marko Zaninovich, Inc.

Wehr Family Vineyards
255 Zinfandel Lane
St. Helena, California 74574
ctwehr@sbcglobal.net

May 5, 2014

Via U.S. Mail and Email (planning@countyofnapa.org)

Napa County Conservation,
Development & Planning Commission
County Administration Building
1195 Third Street, Second Floor
Napa, CA 94559

Re: Request for Continuance and Comments on May 7th Agenda Item 9A, Castelluci Family Winery (Use Permit P13-00140)

Dear Commissioners and Planning Staff:

We own a home and vineyard at 255 Zinfandel Lane in St. Helena, approximately 0.6 miles from the proposed Castelluci Family Winery, and we use Zinfandel Lane almost daily for driving and bicycling. We submit this letter in support of staff's recommendation that the Planning Commission continue this item until May 21, 2014. Having only just learned about the winery proposal, we request more time for neighbors and County staff to consider the potential safety impacts of the project and the appropriateness of its proposed size and scope.

Having lived on Zinfandel Lane for many decades, our concerns about traffic speeds, truck traffic, and traffic safety—particularly near the historic Napa River bridge—have increased over time. The layout, access, and model of the proposed winery would exacerbate these concerns by providing access from Zinfandel Lane instead of Silverado Trail, installing a left-hand turn lane very close to the bridge, and producing wine from 80% non-estate grown grapes. The proposed winery is larger than is typical, and will bring a notable number of new visitors to an agricultural and residential street with very few commercial wineries.

- We support the need for a Safety Study regarding the proposed Road Standards exception that would allow a 175-foot turn lane transition rather than the required 600-foot transition. The narrow road and reduced visibility on the Napa River bridge should be given specific consideration.

- We support taking a closer look at the Circulation Study and factoring in grape truck deliveries and other aspects of the proposed winery operations.

- We believe new safety measures are warranted in this area to offset ever-increasing traffic, and we fully support a speed limit reduction on Zinfandel Lane.

- We are concerned that reducing the required setback from 600 to 500 feet or less will increase safety concerns at the proposed winery.

Thank you for your consideration of these important issues.

Sincerely,

Tim and Carol Wehr

cc: Shaveta Sharma (shaveta.sharma@countyofnapa.org)

My name is Chris Cordano. I live at 1391 Mountain View Avenue, Saint Helena, CA. My home is on the corner of Mountain View Avenue and Zinfandel Lane. I am writing in regard to the following items:

- Proposed expansion of production and hospitality facilities at the Raymond Winery. I understand this hearing is scheduled for June 18, 2014
- Proposed construction and operation of the Castellucci Winery and hospitality venue at the intersection of Zinfandel Lane and the Silverado Trail. I understand this hearing is scheduled for May 7, 2014

I have concerns about these projects and their impact on my neighborhood, Zinfandel Lane and traffic in the Napa Valley in general.

Zinfandel Lane is well known to residents, employees and visitors of the valley as a significant ("speedy") route for crossing east or west from one side of the valley to the other. It is also a route that is fairly easy to navigate for large tractor-trailer trucks. As such, it endures large volumes of traffic throughout the day. It is also a significant route across the valley for emergency vehicles.

Any expansion project or new business construction project will surely add more traffic to the valley in general. This will be the case both during construction and after the business begins conducting operations. These two projects will directly add more traffic to Zinfandel Lane.

I believe these projects, due to their close proximity to one and other, should be studied for their cumulative effect on traffic, the environment and surrounding area rather than their individual effect.

I also have concerns about the continued development of "wine factories" in the Ag Preserve portion of the Napa Valley. Large scale production should take place in the industrial sections of the Valley, not in the sacred Ag Preserve section of the Valley. The scenic beauty of the valley is being replaced by large overbuild production facilities. The Valley is already bulging at the seams with morning and evening commute traffic as well as weekend visitor traffic. I doubt the visitors to this valley, who support our livelihood and economy, appreciate sitting in traffic on a sunny Saturday when they thought they would be "enjoying the wine country".

Another concern I have is the disproportionate amount of hospitality events sponsored by wineries relative to their customer base and production size. It appears that wineries now see themselves as "party venues". The new wave in wine marketing is to host Wine Club dinners and related events where they sell wine, club memberships or a combination of both. The construction of wineries is shifting from a basic production facility to a hospitality destination. I believe this is unnecessary. These hospitality events also add to the above mentioned traffic problem.

Lastly, as these new wineries and expanded wineries continue to apply for permits, the question of fruit sourcing comes into play. The Winery Definition Ordinance, established many years ago, requires Napa Valley wineries to source at least 75% of the fruit used for winemaking from Napa Valley sources. There is a finite amount of fruit in the valley. As new wineries are constructed and existing wineries expanded the question that has to be asked is: "Where is this fruit coming from?"

At the end of the day, I am generally concerned about preserving this magical place known as the Napa Valley. I believe we have to be very aware of the progress that is taking place all around us and also be prepared to say "enough is enough" I believe we are very close to this threshold.

Because I believe we are very close to a threshold, I believe more time should be spent studying the impact of these two, or any other projects. A more thorough traffic study is needed. A Combined comprehensive traffic study is needed. The impact of hospitality events needs to be more fully understood as wineries become hospitality venues. The issue about the source of grapes, used in production, has to become a greater priority is the permitting process to avoid an abuse of the valley for wine promotion purposes.

More time is needed to better understand these issues before permits are handed out.

Thank you for considering my comments here.

JOSEPH PHELPS
VINEYARDS

March 21, 2014

Napa County Planning Commission
Attn: Ms. Shaveta Sharma
1195 Third Street, Suite 210
Napa, California 94559

Re: Winery Project of Mr. Antonio Castellucci, 3 Zinfandel Lane

Dear Members of the Napa County Planning Commission:

I am pleased to write this letter of support for the use permit application of Mr. Antonio Castellucci.

Mr. Castellucci's project is located at 3 Zinfandel Lane. Joseph Phelps' winery and Home Ranch vineyards are located a short distance from Mr. Castellucci's property. I have met with Mr. Castellucci at his property, and reviewed his winery plans with him. I am confident that this project will be a positive addition to our neighborhood.

If you have questions, please contact me at (707) 963-2745.

Very truly yours,

Bill Phelps
President

RECEIVED
MAR 21 2014
Napa County Planning, Building
& Environmental Services

P.O. Box 1031 200 Taplin Road Saint Helena California 94574
Telephone: 707.963.2745 Facsimile: 707.963.4831 Email: jpvwines@aol.com

QUINTESSA

Napa County Planning Commission
RE: Castelucci Winery

Distinguished Members:

I wish to recommend approval of the Castelucci Winery for two reasons:

Mr. Castelucci is a good neighbor: Conscientious, generous, creative, and interesting.
The winery he is proposing is well integrated into the scenery and environment.

As a neighbor, I would feel that the approval of the project enhances the area.

Thank you,

Agustin Huneeus

RECEIVED
MAR 27 2014
Napa County Planning, Building
& Environmental Services

1601 SILVERADO TRAIL, P.O. BOX 505
RUTHERFORD, CALIFORNIA USA 94573
TEL (707) 967-1601 FAX (707) 286-2727
WWW.QUINTESSA.COM

Sharma, Shaveta

From: McDowell, John
Sent: Wednesday, April 16, 2014 7:49 AM
To: Sharma, Shaveta; Frost, Melissa
Cc: Gallina, Charlene; Anderson, Laura
Subject: FW: Castelluci Family Winery--Use Permit #P13-00140 and Variance #P14-00074

Correspondence on Castellucci item.

-----Original Message-----
From: David Guggenhime [mailto:dmgugg@comcast.net]
Sent: Tuesday, April 15, 2014 4:17 PM
To: ShavetaSharma@countyofnapa.org; McDowell, John
Subject: Castelluci Family Winery--Use Permit #P13-00140 and Variance #P14-00074

Dear Ms. Sharma and Mr. McDowell,

I am the owner of a home at 1453 Silverado Trail South that has been in my family for sixty-six years. In addition I own a parcel of land abutting the Napa River just to the west of the Zinfandel Bridge and surrounding the home of Mr. and Mrs. Ralph Baxter and across from Mr. and Mrs. Paul Pelosi.

Because of travel and pending back surgery, I have not had adequate time to review the Castelluci's proposal. However, I am concerned about the dimensions of the proposed facility as well as continuing to add vehicles onto Zinfandel Lane. With northbound Highway 29 north of Zinfandel becoming progessively more problematical from the end of April through the end of October, the last thing Zinfandel needs is more traffic flow.

Though the revision a year ago of the speed limit on Zinfandel from 55 to 45 was a plus, (even though most drivers exceed it by 5-10 mph) the approach to the bridge from the west to the east still has an excessive speed limit of 35 mph. Continuing at that speed and approaching the proposed turn lane into the project winery will likely create unsafe driving conditions. I am also concerned whether any oak trees will be disturbed to accommodate the turn lane.

Given the questions raised above, I would welcome a continuation of the Permit Application to facilitate further study as well as possible engagement of feedback from additional neighbors.

Regards,

David Guggenhime

Sharma, Shaveta

From: McDowell, John
Sent: Monday, April 14, 2014 1:51 PM
To: 'PFPelosi@aol.com'
Cc: Sharma, Shaveta
Subject: RE: Castelluci Family Winery Use Permit #P13-00140 and Variance #P14-00074

Mr. Pelosi,

I am forwarding your email to Shaveta Sharma, who is our Planner managing the project and knows the details of the proposal. We will provide this email to the Planning Commission as it is their discretion on granting of a continuance.

I imagine you may have received a bounce-back on Pete Parkinson's email as his interim assignment recently ended with the appointment of our new Director.

Sincerely,

John McDowell
Deputy Planning Director
Napa County Planning, Building and Environmental Services Department
(707) 299-1354

From: PFPelosi@aol.com [mailto:PFPelosi@aol.com]
Sent: Monday, April 14, 2014 1:04 PM
To: Parkinson, Peter (Pete)
Cc: McDowell, John
Subject: Re: Castelluci Family Winery Use Permit #P13-00140 and Variance #P14-00074

Dear Mr Parkinson,
Approximately ten days ago I received your notice of the hearing this week regarding the Castelluci Winery.
My wife Nancy and I are next door adjacent neighbors on Zinfandel Lane, and this is the first knowledge we have of the project.
I have no problem with the Castelluci Family establishing a winery, however we have serious concerns about the magnitude of the project. In short it is a massive project for the site. The most significant issue for me is the impact and danger this will create on Zinfandel Lane.
Because Zinfandel Lane is the only straight crossroad from Hwy 29 to Silverado Trail it gets a lot of high speed traffic. The particularly dangerous point is the narrow bridge adjacent to both properties where the speed limit is still 45mph. The road changes direction and does not allow a clean line of site for this fast moving traffic in either direction. The creation of a left turn lane on Zinfandel to enter this Winery would exacerbate this situation significantly.
We are quite confident that if other neighbors and traffic officials review this application they will have similar concerns.
Therefore we are respectfully requesting a continuation of this Permit Application to allow further study of these important impacts on our neighborhood.
Thanks you for your consideration.
Best regards,
Paul F Pelosi
11 Zinfandel Lane

Sharma, Shaveta

From: McDowell, John
Sent: Monday, April 14, 2014 4:16 PM
To: 'Baxter, Ralph'
Cc: PFPelosi@aol.com; Sharma, Shaveta
Subject: RE: Castelluci Family Winery Use Permit #P13-00140 and Variance #P14-00074

Mr. Baxter,

Thank you for your comments. We will forward this communication to the Planning Commission as it is their determination on grant of continuance. I have included our project planner, Shaveta Sharma, in this response as she is much more familiar with the details of the project than I.

Thank you,

John McDowell
Deputy Planning Director
Napa County Planning, Building and Environmental Services Department
(707) 299-1354

From: Baxter, Ralph [mailto:ralphbaxter@orrick.com]
Sent: Monday, April 14, 2014 3:42 PM
To: McDowell, John
Cc: PFPelosi@aol.com
Subject: Castelluci Family Winery Use Permit #P13-00140 and Variance #P14-00074

Dear Mr. McDowell,

I write to support Paul Pelosi's request for a continuance of the Permit Application in the above referenced matter.

My wife and I own the property at 33 Zinfandel Lane, just across the bridge from the Castelluci property. While I have no firsthand knowledge of the proposed project (nor to my knowledge have been sent any notice of the upcoming hearing), from what I have heard, I share Mr. Pelosi's safety concerns. It certainly would be best if all of the neighbors had a chance to examine the project and express their views to the county before the permit and variance issues are decided.

Sincerely,

Ralph Baxter

ORRICK

RALPH BAXTER
Chairman Emeritus

ORRICK, HERRINGTON & SUTCLIFFE LLP
GLOBAL OPERATIONS CENTER
2121 MAIN STREET
WHEELING, WV 26003

Mount Veeder Stewardship Council

www.mtveederstewardshipcouncil.org

April 15, 2014

Napa County Planning Commission
County Administration Building
1195 Third Street, Suite 210
Napa, CA 94559

Re: Napa County Planning Commission Notice of Intent to Adopt Negative Declaration
Castellucci Family Winery Use Permit No. P 13-00140
Hearing Scheduled for April 16, 2014

Dear Planning Commission:

The Mount Veeder Stewardship Council submits the following letter in Opposition to the Castellucci Family Winery Use Permit Application currently pending before the Napa County Planning Commission, and urges the Planning Commission to reconsider its intent to adopt a Negative Declaration for the Winery Use Permit.

The goal of the Mount Veeder Stewardship Council is to ensure that the rich biodiversity and rural quality of life in the private and public lands of the Mount Veeder watershed are respected, conserved and protected for future generations. At this time, the Mount Veeder Stewardship Council is concerned about the approval of new uses for water, during this serious drought.

Based upon our review of the Castellucci Family Winery Use Permit Application and subsequent submittals, it is our opinion that the Planning Commission should not adopt the proposed Negative Declaration, due to the fact that the applicant failed to provide the Planning Department with actual water usage on the parcel for the entire parcel. In addition, the applicant has failed to provide an adequate analysis of actual water available for the project. Furthermore, the Planning Department did not take into consideration, while reviewing this application, the fact that Northern California is currently in a serious drought.

The Project Fails to Consider Several Water Related Concerns

Currently, the State of California is experiencing one of the most significant droughts in the State's recorded history. Yet, the Planning Department, in its evaluation of the Castellucci Familty Winery Use Permit application, fails to take the drought into consideration.

The Planning Department has failed to consider state law in the allocation of scarce water; that domestic water use is the primary use of water, and irrigation is secondary use of water. The proposed Castellucci Family Winery is neither domestic use nor is it irrigation. It falls into a category lower than domestic and irrigation uses.

The Project Fails to Address Actual Water Availability for the Project

The applicant admits that it must drill a well prior to completion of the project, so there is no hard data to back up how much water is really available for the project. There are no well tests, or pump tests submitted with the application, to substantiate this claim. There is only a number written on a line on the application, claiming to have a water source which produced 40 gallons of water per minute, nothing more.

The lack of information regarding the amount of water actually used on the property, by the applicant, should in itself be grounds for the denial of the use permit application. The purpose of the water availability analysis is to look at the entire water usage on a particular parcel of land and then determine whether or not there is enough water available for the project.

The lack of analysis of the water availability for the site, by the applicant and the Planning Department, as well of the lack of consideration of the current drought, and how the drought has and will impact the water availability at the site, the lack of required controls for water usage on the project, to deal with what could be a prolonged drought, all suggest that the Planning Department failed to perform a thorough review of the actual water available for this project. Instead, the Planning Department appears to have accepted the incomplete and inadequate information which the applicant provided in its application, without substantiation, and whether the information is correct or not, does not seem to have been considered.

If the applicant is incorrect about the amount of water which its proposed well can really produce during this drought, the applicant may be in a position where their well does not produce enough water for the proposed winery. Furthermore, if there are limits regarding the amount of water which the applicant can remove from the Napa River, (there is no information to suggest that a new well can handle the amount of water needed for the winery and the existing vineyard, for which the applicant has failed to provide usage information), then the applicant may attempt to purchase water from the City at the expense of domestic users, in violation of state law.

The adoption of a negative declaration for this project is not appropriate. At the very minimum, the applicant should be required to predict all water usage for the entire parcel, and not just the winery. Until the applicant provides the water usage for the entire parcel, including the existing vineyard, the application must be denied.

recharge and subsequent water availability analysis in the face of significantly reduced rainfall.

The Water Availability Analysis requires total water usage for a parcel of land. The applicant has failed to provide this information, while admitting that it is using groundwater for irrigation of the vineyard. Without completing the information relating to existing water usage for the vineyard, the Planning Commission must deny the use permit application.

The Mount Veeder Stewardship Council respectfully requests that the Planning Commission not adopt the Negative Declaration for the Castellucci Family Winery Use Permit, and instead deny the use permit application.

Respectfully Submitted,

MOUNT VEEDER STEWARDSHIP COUNCIL

Gary Margadant, President

Sharma, Shaveta

From: Wilkinson, Paul
Sent: Wednesday, September 18, 2013 9:39 AM
To: Sharma, Shaveta
Cc: Marshall, Rick
Subject: Castellucci Family Winery, P13-00140; apn# 025-160-006-000

Shaveta:

Mike Muelrath from Applied Engineering has contacted myself directly regarding the Castellucci Family Winery Use Permit application. Specifically he had questions regarding the possibility of constructing a left turn pocket on Zinfandel Lane at the site entrance. The left turn pocket design will not meet the Napa County standards due to constraints imposed by the proximity of the Zinfandel Bridge over the Napa River and the presence of large oak trees in the embankment of the road approach to the bridge. Mike provided a preliminary design plan to me for review. The design looks to be acceptable, but the applicant should apply for an exception to the Napa County Roads and Streets Standards, which Public Works would support based on the current design.

In the application review memo sent to Charlene Gallina dated May 10, 2013, the Public Works comments included a statement regarding the traffic volumes proposed being low enough such that a left turn pocket would not be required, apparently this has changed; however, Public Works has not received any information regarding the increase in visitors. If the applicant is now proposing to construct a left turn pocket the volumes have likely increased from those provided in the initial application. Public Works would likely not take exception to the revised application, but we would still need to review the document. The incompleteness comment requesting a traffic study of the impacts to the Silverado Trail/Zinfandel Lane intersection is still applicable.

Paul R. Wilkinson
Associate Engineer
Napa County Department of Public Works
phone: (707) 253-4290
cell: (916) 802-8910

MEADOWOOD
Napa Valley

April 29 '14

Attention Shaveta Sharma -

I am writing this letter in support of Antonio Castellucci's proposed family winery located at 3 Zinfandel Lane.
I live at 1110 Victoria Lane off Zinfandel Ln. The Castellucci's are my immediate neighbors and we've had a wonderful relationship for several years. I've lived on Victoria Ln for over 45 years. I don't think Mr. Castellucci's winery will make any significant impact on Zinfandel Ln traffic. I believe this family winery to be a wonderful addition to the community.

Thank you,
Frank J. Borges
Barbara K. Borges
Frank and Barbara Borges

RECEIVED
MAY 1 2014
Napa County Planning, Building & Environmental Services

900 Meadowood Lane • St. Helena, California, 94574 • Tel. (707) 963-3646 • (800) 458-8080 • Fax (707) 963-3532 • www.meadowood.com

April 28, 2014

Napa County Conservation, Development & Planning Commission
County Administration Building
1195 Third Street, Second Floor
Napa, CA 94559

Re; Castelluci Family Winery
Use Permit (P13-00140)

To Whom It May Concern,

We have received a letter from Mr. Paul Pelosi regarding the above mentioned permit. Unfortunately we did not learn of this matter directly from the Napa Planning Commission as we live beyond 300 ft of said project. We do, however, live on Zinfandel Ln, and will be greatly impacted by this proposal.

Our primary concern is regarding the increased traffic and resulting public safety issues that would be created by such a large project. It is well known that Zinfandel Ln. is not only a main cross road connecting the Silverado Trail and Highway 29, it is unfortunately even better known for the excessive speeds used by cars, trucks and large commercial vehicles! The proposed winery would certainly add to this worrisome problem already in existence.

Our area is zoned for AP use and already Zinfandel Ln. has two large production winery operations (Raymond Vineyard and The Ranch) in addition to a smaller winery (Kelham).
Another large winery operation as proposed by the Castelluci Family is too great an impact for our neighborhood.

As conscientious citizens of the Napa Valley and residents of Zinfandel Lane we respectively ask the Napa Planning Commission to carefully look at the magnitude of this proposed project and it's resulting impact on the environs.

Sincerely,

Lynne Freeman

Lynne and Larry Freeman
449 Zinfandel Lane
St. Helena, CA 94574

RECEIVED
APR 30 2014
Napa County Planning, Building
& Environmental Services

Sharma, Shaveta

From: Troels Folmann <troels.folmann@gmail.com>
Sent: Sunday, April 27, 2014 11:51 AM
To: Sharma, Shaveta
Subject: Neighbor considerations regarding Castellucci Family Winery - #3 Zinfandel Lane

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Shaveta,

I am writing you in regards to the Castellucci Family Winery on #3 Zinfandel Lane.

We (my wife and our two children) live in 756 Zinfandel Lane, Saint Helena. Our property is openly facing Zinfandel and I want to bring forth our thoughts and considerations in regards to the Castellucci Family Winery.

First of all we want to see the city of Saint Helena grow - and while we are not in the wine business - we do appreciate local initiatives like the Castellucci Family Winery, which will benefit to the growth of our city. But it will only work if traffic speed on Zinfandel Lane is modified.

Our house is directly facing Zinfandel Lane and we see/hear people speeding at a daily level. We have children and have told them never to be in parts facing the street, since we have seen cars and motorcycles go over 100 miles an hour - due to the straight nature of the street. We literally live right across the Raymond Winery and are probably more aware of wine/traffic then anyone else in the area.

In summary we propose that the speeds on Zinfandel Lane gets reduced to 30 miles an hour. We do not believe that an assortment of wineries and fast traffic is a good combination. We don't want Zinfandel Lane to become a racetrack and its already loaded with traffic.

We are in support of local initiatives like the Castellucci Family Winery, **however** only if the speed gets reduced significantly on Zinfandel. We do not believe the combination of more wineries and high-speed traffic.

Please let me know if you have further questions.

Yours truly,

Troels Folmann
756 Zinfandel Lane
650 714 9762

--

Troels Knox Folmann
Academy Award Winning Composer
San Francisco
troels.folmann@gmail.com | troelsfolmann.com
8dio.com | 8Dio Facebook

Sharma, Shaveta

From: Harvey Posert <hposertpr@comcast.net>
Sent: Tuesday, April 29, 2014 10:37 AM
To: Sharma, Shaveta
Subject: Castelluci proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Shaveta Sharma:

I am writing to endorse the request by Antonio Castelluci to build a winery at Silverado Trail and Zinfandel Lane. I live on Victoria Lane right off Zinfandel about a mile away. There are a few wineries here already and one more will not make a difference. In fact, my son's wine is being made at Harrison, right across the street from the proposed winery.

Castelluci is a neighbor and is known for excellent work in the sense of improving sites and increasing values. It is hard to understand rationales against the proposal.

Cordially,

Harvey Posert
1140 Victoria Lane
St. Helena CA 94574
707-963-2685