

10-20-05

To whom it may concern,

This letter is a written objection to the use permit as described by the Sonoma County Permit and Resource Management Department for applicant Katrina Field/ Owner Katrina Field at 27801 River Road, Cloverdale, CA.

Our property is 27802 River Road. We are directly across the street from the Fields property. We have a clear view of her property from our front porch.

We have no problem with the use permit for a winery and tasting room on the Field Property.

We do have concerns and or objections regarding the following.

1. Our drinking water comes from a well close to the Field property. Our property is directly across River Road from this property. We plan to develop water use from a natural spring close to the road directly across the from the Field property. We have concerns that the commercial septic use from a 10,000 case winery and multiple events of close to 300 people could contaminate our water supply. As it is currently written in her permit application, Katrina Field could have 20 large events in a short span of time. We have concerns that this could affect our drinking water.

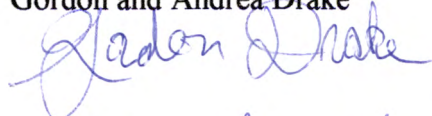
2. Regarding the permit to hold 20 large (295 people) events per year, we object to any events being held there with such a large number of people. These events could be held every weekend all summer long. This is a relatively quiet rural agricultural part of Sonoma County. With that size of an event there will surely be loud noise, perhaps loud music and bright lights if these events go into the evening. I do not want to listen to a large crowd or loud music from my front porch. I do not want to look directly at bright lights. As Mrs. Field does not live at her property, she will not be exposed to this as captive audience the way her neighbors will be if she is allowed to host large events.

3. Again, as we look directly at The Field property from the front of our house, we would like the winery complex to be built with a nonreflective roofing material. We would like to see as many of the trees that line River Road remain intact. Mrs. Field has made no effort to discuss her plans and alleviate any our concerns.

In summary, we have objections to the permit as written because we don't know if the issuer of the permit was aware of the proximity of our water sources. We are concerned about harming our well or natural spring. The Field development as proposed could significantly lower the value of our property as well the current enjoyment we are

receiving while residing at our property. The way her permit is written what is to keep her from having large parties with bright parking and event lights every weekend of the summer? She should not be allowed to hold these types of events. There should be a consideration of the traffic, noise and lights such events would likely create. In our opinion, she should operate a winery and tasting room without large, frequent events. Her large facility should be constructed aesthetically with a nonreflective roof.

Sincerely,
Gordon and Andrea Drake

Handwritten signature of Gordon Drake in blue ink.Handwritten signature of Andrea Drake in blue ink.

From: Jon Tracy
To: Ellison, Ken
Subject: UPE04-0022, 27802 River Rd, Katrina Field

Hi Ken,

I left a copy of the Drake's complaint letter about this project on your chair. The issue of the septic contaminating the Drake water supply does not seem valid at this point. The initial septic work is showing a system 170 feet from the nearest property line, so the system is easily more than 100 feet away from an off-site water source. The property line in this direction (toward River Rd) also happens to be uphill, so drawing contamination into a well in this direction will also require the pump to work against gravity.

We already have a sound study on file for this project, the lights and traffic issues are yours.

10-21-05
jt

Resolution Number 08-025

County of Sonoma
Santa Rosa, California

October 9, 2008
UPE04-0022/PLP05-0111 Sigrid Swedenborg

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,
COUNTY OF SONOMA, STATE OF CALIFORNIA, ADOPTING A
MITIGATED NEGATIVE DECLARATION AND GRANTING A
USE PERMIT FOR A WINERY WITH A MAXIMUM ANNUAL
PRODUCTION CAPACITY OF 10,000 CASES WITH PUBLIC
TASTING AND 20 SPECIAL EVENTS A YEAR TO KATARINA
FIELD FOR PROPERTY LOCATED AT 27801 RIVER ROAD,
CLOVERDALE; APN 117-060-059 AND -060.

WHEREAS, the applicant, Katarina Field, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for a winery with a maximum annual production capacity of 10,000 cases with public tasting, 20 special events a year with a maximum 215 people per event and a Lot Line Adjustment for property located at 27801 River Road, Cloverdale; APN 117-060-059 and -060; Zoned LIA (Land Intensive Agriculture), B6-20 acre density, Z (Second Dwelling Unit Exclusion), F1 (Floodway Combining District), F2 (Floodplain Combining District), BR (Biotic Resource), VOH (Valley Oak Habitat); Supervisorial District No 4; and

WHEREAS, a Mitigated Negative Declaration was prepared and posted for the proposed project in accordance with the appropriate law and guidelines; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on November 9, 2006, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on November 9, 2006, the Board of Zoning Adjustments continued the public hearing off calendar for the applicant to submit additional information; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on October 9, 2008, at which time all interested persons were given an opportunity to be heard; and

NOW THEREFORE BE IT RESOLVED that the Board of Zoning Adjustments makes the following findings:

1. The project is consistent with the goals and policies of the Sonoma County General Plan and the Zoning Ordinance.
2. Based upon the information contained in the Initial Study included in the project file, it has been determined that there will be no significant environmental effect resulting from this project, provided that Mitigation Measures are incorporated into the project. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines, and the information contained therein has been reviewed and considered.
3. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the

neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are requirements that: 1) traffic generated by the use will not have a significant effect on local public roads; 2) lighting shall be down cast, fully shielded and not wash out off-site or into the night sky; 3) grape pomace must be disced into the vineyard soil as a soil conditioner and supplemental nutrient source or removed from the site; and 4) the driveway will meet AASHTO standards.

4. The project is consistent with the Williamson Act because: 1) the winery facility will not compromise agricultural capability and the agricultural use of the parcel would be intensified because the grapes would be processed on the parcel; 2) the proposed use will not significantly displace agricultural operations because no vines will be removed; and 3) this project would not affect the agricultural use on adjacent properties.
5. The project is consistent with Sonoma County Williamson Act rules which list processing and selling of an agricultural product as compatible uses.

BE IT FURTHER RESOLVED that the Sonoma County Board of Zoning Adjustments hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring Program set forth in the Conditions of Approval. The Board certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with comments received during the public review process, in compliance with CEQA and State and County Guidelines, and finds that the Mitigated Negative Declaration reflects the independent judgment of the Board.

BE IT FURTHER RESOLVED that the Sonoma County Board of Zoning Adjustments hereby grants the requested Use Permit, subject to the conditions in Exhibit A attached hereto, and recommends that the Board of Supervisors approve the requested Lot Line Adjustment.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

BE IT FURTHER RESOLVED that the Sonoma County Board of Zoning Adjustments' action on the Use Permit shall be final on the 11th day after the date of the resolution unless an appeal is taken.

THE FOREGOING RESOLUTION was introduced by Commissioner Alberigi, who moved its adoption, seconded by Commissioner Wright, and adopted on roll call by the following vote:

Commissioner Fogg	Aye
Commissioner Bennett	Aye
Commissioner Wright	Aye
Commissioner Alberigi	Aye
Commissioner Siegle	Aye

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

WHEREUPON, the Chairman declared the above and foregoing resolution duly adopted; and

SO ORDERED.

Elsa Frick

From: Jon Tracy
Sent: Wednesday, May 19, 2010 12:41 PM
To: Elsa Frick
Subject: RE: 27801 River Road

the lot line adjustment was just approved by the BoS in February, now they are working on the Use Permit:

REQUEST FOR A USE PERMIT FOR A WINERY WITH A MAXIMUM ANNUAL PRODUCTION CAPACITY OF 10,000 CASES WITH PUBLIC TASTING AND 20 SPECIAL EVENTS A YEAR WITH A MAXIMUM OF 215 PEOPLE AND A LOT LINE ADJUSTMENT BETWEEN TWO PARCELS, 38.35 AC AND 28.92 ACRES IN SIZE RESULTING IN TWO PARCELS, 41.09 AC AND 26.18 ACRES IN SIZE

applicant's is not consistent with this.

From: Elsa Frick
Sent: Wednesday, May 19, 2010 11:44 AM
To: Jon Tracy
Subject: 27801 River Road

Jon,
I have a big septic application for this but I am not finding draft use permit conditions that are consistent with the applicant's statements. I am thinking things may have changed over the last 5 years or so. Do you have anything current I can get my eyes on?

Elsa Frick
Well and Septic Section
Sonoma County PRMD
707 565-3826

Elsa Frick

From: Jon Tracy
Sent: Friday, September 17, 2010 1:02 PM
To: Elsa Frick
Subject: RE: 27801 River Rd

Project Description:

The applicant's request is for a Use Permit for a winery with a maximum annual production capacity of 10,000 cases with public tasting and twenty special events a year with a maximum of 215 people per event. The tasting room would be open to the public from 10 a.m. to 5 p.m. seven days a week. Special event hours would be limited from 12:00 p.m. to 10:00 p.m. The facility would be contained in two buildings totaling approximately 13,150 square feet. The request is for a phased project; phase one including the construction of an 8,400 square foot production facility with the crush/press area, barrel and tank storage and a tasting room. This building would be constructed of steel. Phase 2 includes construction of a 4,700 square foot building that would have additional barrel storage, two guest rooms to be used for promotional/marketing purposes and employees, a catering layout area and another tasting room. This building would be a wood-framed with stucco, wood and concrete exteriors. Special events would be held outside or under a temporary tent. There would be up to three full time winery employees, and 15 part time employees during the crush season, and additional temporary employees as needed during special events.

The proposed project is not served by public sewer and all process wastewater will be disposed of in a sub-surface septic system. Clearances must be obtained from both the North Coast Regional Water Quality Control Board (NCRWQCB) and the Well and Septic Division of PRMD prior to permit issuance.

The project includes a Lot Line Adjustment between two parcels, 38.35 ac and 28.92 acres in size resulting in two parcels, 41.09 ac and 26.18 acres in size.

From: Elsa Frick
Sent: Friday, September 17, 2010 12:26 PM
To: Jon Tracy
Subject: 27801 River Rd

also the consultant has provided me with a copy of UPE04-0022 with a different description that the one you gave me back in May. His is dated 10/9/08. Calls for 10,000 cases, public tasting on weekends and State holidays, 4 industry wide events and 8 special events/year with a total of 100 people on site at any one time during the day. three full time employees and 15 part time. and additional part time employees for special events. I can't find anything consistent with his description in the file or in PP?????

Elsa Frick
Well and Septic Section
Sonoma County PRMD
707 565-3826

Bob Swift

From: Bob Swift
Sent: November 23, 2010 5:40 PM
To: 'Kurt Kelder'; Elsa Frick
Cc: Randy Leach
Subject: RE: Field Winery, SEP 10-0208

Dear Kurt,

I have reviewed the file and find the following:

- Use Permit UPE04-0020 was approved on 10/09/08. Information contained in the file includes a September, 2002 Curtis and Associates topographic map. The 10- year flood elevation was determined to be 274.0 feet (NGVD '29).
- Based upon the 2002 Curtis and Associates topographic map, the 10 year flood elevation of 274.0 feet was accepted for delineation of setback requirements during the 2003 and 2005 pre percolation site evaluations and acceptance of subsequent percolation test results,.
- On 05/04/10, the grading and drainage plans for the winery were approved and GRD10-0049 was issued. The grading and drainage plans that were approved used the Curtis and Associates provided Flood Elevations, including 274.0 feet for the 10-year flood elevation.

Based upon the above information, the elevations provided by the Curtis and Associates topographic map are acceptable for use in review of septic system plan review (SEP10-0208) as these elevations are the same elevations that have been used for planning and permitting throughout the project.

Please contact me if you should have any questions or wish to discuss this matter further.

Regards,

Robert A. Swift, REHS
Well & Septic Division Supervisor
County of Sonoma Department of Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, CA 95403
Tel: (707) 565-1680
Fax: (707) 565-1399

NOTICE OF OFFICE CLOSURE

**Sonoma County Permit and Resource Management Department will be Closed: December 23, 2010 -
January 2, 2011**

Offices will fully reopen January 3, 2011

This closure is due to a Mandatory Time Off program for employees, one of several cost savings measures adopted by the County to balance its budget and preserve essential services. County employees are taking 8 unpaid days off this fiscal year and the winter office closure reflects 5 of those days.

We appreciate your patience and understanding during the time that our office is closed.

For further information, contact: (707) 565-2961 or view the latest information at: <http://www.sonoma-county.org/mto.htm>.

From: Kurt Kelder [mailto:kurt@kelderengineering.com]
Sent: October 07, 2010 12:38 PM
To: Elsa Frick
Cc: Bob Swift
Subject: RE: Field Winery, SEP 10-0208

Thanks Elsa,

I was again going to say I never make mistakes; but you see that's not correct. It should read 274' not 294'. My apologies, I've corrected it.

Attached is the corrected plan. Please let me know how many hard copies you would like and I will print and sign them. My understanding from Dave Donavan's preperc notes is that the setback is from the river side only (west side).

Thanks,
Kurt

From: Elsa Frick [mailto:EFRICK@sonoma-county.org]
Sent: Thursday, October 07, 2010 12:17 PM
To: 'Kurt Kelder'
Subject: RE: Field Winery, SEP 10-0208

you are right..once again, I failed to do the right thing. I was trying to forward this to Bob Swift for his further information. I discussed it with him this morning. I am betting that he wants to sit down with you and Alex Rosas to resolve the issues. I am currently out of the mix.

Sorry, Kurt

P.S. one thing Bob and I noticed on your plan appears to be a misstatement about the flood elevation being 294' and look at your plan because there appears to be a 274' elevation to the E as well as the one to the W. Bob will be following up with you but it would be ok to check in with him.

From: Kurt Kelder [mailto:kurt@kelderengineering.com]
Sent: October 07, 2010 12:06 PM
To: Elsa Frick
Subject: RE: Field Winery, SEP 10-0208

Hello Elsa,

I'm not sure what further information you are referring to.

There was nothing attached in your reply.

Please let me know.

Thanks,
Kurt

From: Elsa Frick [mailto:EFRICK@sonoma-county.org]
Sent: Thursday, October 07, 2010 9:25 AM
To: 'Kurt Kelder'
Subject: RE: Field Winery, SEP 10-0208

for your further information

From: Kurt Kelder [mailto:kurt@kelderengineering.com]
Sent: October 06, 2010 6:41 PM

To: Elsa Frick; 'Brian Curtis'
Cc: Alex Rosas
Subject: RE: Field Winery, SEP 10-0208

Hello Elsa, Alex, and Brian,
After hearing Alex's voicemail and speaking with Elsa today, it appears that we may be at an impasse. I'm hoping the four of us can resolve this issue, because it is the last issue holding up the septic system permit.

Curtis & Associates provided a topographic map of Ms. Nina Field's property in September, 2002. I understand that the map was produced under the direction of Curtis' project engineer, Joe Storey, RCE #29,731. An unstamped, unsigned copy of the map is attached for reference. If you would like a stamped, signed copy; I'm sure Brian Curtis can provide one.

By the map, it appears that Mr. Storey determined the 100-year and 10-year flood elevations. The 10-year flood elevation was determined to be elevation 274.0 (NGVD '29). The topographic map lists the FEMA FIRM panel used to determine the flood elevations and the benchmark datum used.

On 01/09/03, CSW/Stuber-Stroeh (Civil Engineers) conducted a pre-perc investigation with Dave Donovan of PRMD. The purpose of the pre-perc was for a proposed new winery. Dave's pre-perc field notes list the 10-year flood elevation at 274'. Either CSW provided this elevation to Dave based on Curtis' surveyor, or that Dave determined this elevation on his own. The pre-perc was approved by Dave on 01/17/03. A copy of the pre-perc notes is attached for reference.

On 02/26/10, CSW/Stuber-Stroeh performed a percolation test in the area of the pre-perc pits. All holes had passing rates for a standard system.

Based on the pre-perc with the County and percolation test, Ms. Field applied for a Use Permit for her winery in 2004. I was not involved with the project, but I understand that Ms. Field had to pay for other studies including a traffic study and sound study. She also drilled a new well for the winery and had the well tested. I understand there were numerous issues to resolve with the neighbors before getting final approval.

In 2005, Ms. Field initiated a Lot Line Adjustment LLA05-0081 in order to incorporate the septic system area into the same lot as the proposed winery building. PRMD records show the LLA was approved on 03/31/10.

On October 9, 2008, the Board of Zoning Adjustments adopted the Mitigated Negative Declaration and corresponding Use Permit for Ms. Field's winery. In December of 2008, Ms. Field hired me to prepare grading, drainage and septic system plans for her winery.

I understand that in December, 2008, FEMA prepared new Flood Insurance Rate Maps.

On 05/04/10, the grading and drainage plans were approved and GRD 10-0049 was issued. The grading and drainage plans which were approved used the Curtis provided Flood Elevations of 277.0 and 274.0 for the 100-year and 10-year flood elevations. These are the elevations shown on Curtis' topographic map for the project.

On 04/30/10, septic system plans were submitted for approval. The septic system plans were prepared using the same flood elevations provided by Curtis Associates on their topographic map. These elevations are the same elevations used for planning and permitting purposes throughout the project.

I understand that Elsa wants to use the new FEMA FIRM maps. I also understand that Brian Curtis should not need to ~~spend time and the client's money re-evaluating a flood elevation that was determined by his project engineer at the start of the project using the then-current FEMA FIRM information.~~

We may be at an impasse amongst us four. However, I cannot let the project languish or die based on this issue.

Elsa, please let me know if they above facts are enough to allow us to use the previously determined 10-year flood elevation, 274.0 (NGVD '29).

Thanks,
Kurt

From: Kurt Kelder [mailto:kurt@kelderengineering.com]
Sent: Monday, October 04, 2010 11:50 AM
To: 'Elsa Frick'; 'Brian Curtis'
Cc: 'Alex Rosas'
Subject: RE: Field Winery, SEP 10-0208

Hello Elsa and Alex,
According to Brian Curtis, he did use the current and correct FIRM at the time of survey.
Brian Curtis, PLS, determined the 100-year and 10-year flood elevations and put them on his survey.
Brian, please confirm.
Please let us know if you do not agree with Brian Curtis' flood elevations.

We do have a conversion factor for the datum used (NGVD '29) to the current datum (NAVD '88). The datum and conversion factor was included on the approved grading plans.
I can include this conversion factor and datum information on the cover sheet of my septic system plans.

If you do not agree with Brian Curtis' determination, please let him know.
Brian please confirm your elevation determinations. This is the last piece (other than paying the recheck fee) holding up the septic permit.

Thank you.
Kurt

From: Elsa Frick [mailto:EFRICK@sonoma-county.org]
Sent: Monday, October 04, 2010 11:19 AM
To: 'Kurt Kelder'
Subject: FW: Field Winery, SEP 10-0208

this is what I got from Alex.

From: Alex Rosas
Sent: October 04, 2010 11:15 AM
To: Elsa Frick
Subject: RE: Field Winery, SEP 10-0208

To determine the 10-yr BFE, you need the correct and current FIRM (or FIRMette) panel showing the location of the site and appropriate river/creek cross-sections and the corresponding FIS profiles. The current FEMA documents are dated 12/2/2008 and are based on the NAVD 88 datum. The actual site plan for the permit application can be based on any datum but there must be a clear and discernable way to identify the 10-yr BFE such as a conversion formula/factor between the used datum and the NAVD 88 datum. Hope that helps.

From: Elsa Frick
Sent: September 30, 2010 5:09 PM
To: Alex Rosas
Subject: FW: Field Winery, SEP 10-0208

thoughts?

From: Kurt Kelder [mailto:kurt@kelderengineering.com]
Sent: September 30, 2010 5:07 PM
To: Elsa Frick; 'Brian Curtis'
Cc: Alex Rosas
Subject: RE: Field Winery, SEP 10-0208

Hello Elsa,

I spoke with Brian Curtis and am copying him on this e-mail.

Brian said that his survey, which was done in 2002, used the current FEMA available at the time which was based on 1929 datum.

Brian's survey map uses this 1929 datum and also provides a conversion from 1929 datum to 1988 datum.

My grading plans that were approved this year were based on the same Curtis survey, using the 1929 datum.

Alex asked me to include the benchmark and conversion data on my grading plan, Sheet C1 (attached).

Would adding this data (similar to what I did for the grading permit) suffice for the septic permit?

Thanks,
Kurt

From: Elsa Frick [mailto:EFRICK@sonoma-county.org]
Sent: Thursday, September 30, 2010 3:37 PM
To: 'Kurt Kelder'
Subject: RE: Field Winery, SEP 10-0208

after a rather lengthy discussion with Alex Rosas it appears that Curtis is not using the current flood data. Alex says we need the current FIRMette, profiles and calculations showing the 10 year flood elevation and the calculations used to arrive at that conclusions. In addition Curtis should be able to provide the conversion used (source and number) to get from the field datum to the flood data datum.

From: Kurt Kelder [mailto:kurt@kelderengineering.com]
Sent: September 23, 2010 2:42 PM
To: Elsa Frick
Cc: 'Katarina Field'; 'Brian Curtis'
Subject: Field Winery, SEP 10-0208

Hello Elsa,

I am in receipt of your plan check comments for Nina Field's winery at 27801 River Road in Cloverdale.

SEP 10-0208.

A copy is attached.

Regarding your comment #1; Curtis & Associates prepared the topographic map of the site and determined the flood elevations from the FEMA Firm Panel.

Curtis added a note on his survey regarding this determination. Please see attached topo with the flood note bottom center of the survey.

Will this suffice? I'm not sure what if any calculations Curtis did or needed to do. I'm copying Brian Curtis on this e-mail for his input.

Also, I see the only other comment is to pay the \$168.00 recheck fee.

Once the flood elevation issue is resolved, I or Nina Field will bring in a check for that amount.

• Please let me know if Curtis' survey with the flood note is sufficient?

Thank you.

Kurt