

VOTMA Comments on Draft Conditions of Approval—PLP15-0067  
December 20, 2017

1. COA#7--VOTMA suggests that considering the proximity of the construction site to the Kinnybrook residential community, Applicant restrict construction activities to six days per week (i.e., exclude Sundays), that holidays be non-work days, and that construction end on Saturdays at 5 pm. Kenwood Winery has an operational tasting room already.
2. COA--“Fire and Emergency Services”: Applicant should have an emergency evacuation plan for fire/earthquake or other hazard during construction. Applicant should have an emergency fire response plan in place and functional during construction.
3. COA--Fire and emergency Services”: Applicant should have both a fire response plan and emergency evacuation plan in place and operational prior to commencement of commercial operations. For events larger than 100 people, Applicant should provide admittees an emergency evacuation instruction brochure.
4. COA#29--Septic system design capacity for “an event with 108 guests” seems very low for a facility that would be expected to have several thousand guests per week and weekly tasting visitation and events as high as 500 guests. The term “agricultural promotional events” should be defined to include ongoing public tasting room visitation, wine/food pairing events, and the 33 event days referenced in COA#68 (Viewed in conjunction with COA#58, it would appear that Applicant would essentially be required to have permanent portable toilets at the project site. This should not be acceptable for ongoing operations.)
5. COA#33--In view of the proximity of the Kinnybrook community, trash and recycling collection should be limited to hours after 9 am on any day.
6. COA#40--Parking lot lighting fixtures should be sized in height so that they are not visible when lit from any point on SR12 east of the project site.
7. COA#48--Water use at the Tasting Room shall be separately metered to measure all groundwater used at the Tasting Room. Water use by month shall be reported in the Annual Report. Water use in conjunction with operations and all promotional events at the new tasting room facility should be limited to \_\_\_\_\_ gallons per calendar year. [limit to be determined after water use calculations reevaluated and annual limit on visitors determined.]
8. COA#58--The term “permitted agricultural promotional events” should be defined to include ongoing public tasting room visitation, wine/food pairing events, and other similar events, including the 33 event days referenced in COA#68.

9. COA#58e--the 48 hr prohibition on portable toilets for special events should apply to all events. Need to reconcile COA#29. If public visitation might total 200 or 500 per day (weekdays/weekends) several times a week, and the capacity limit is for 108 persons, that would seem to result in permanent portable toilets. Not acceptable.

10. COA#61--The term "special events" is not defined. COA#59 refers to "wine tasting and agricultural promotional event activities." Need clarity in term use and consistency in use. With a 3000sf terrace the noise standards should apply to all activities—wine tasting, food pairing, agricultural promotional events etc. (including all 33 events specified in COA#68).

11. COA#63--revise to cover Kinnybrook agreement.

12. COA#64—see comments 5 above for collection start time limits. Should there be "not later than 5 pm" end of day limits for collection?

13. COA#65--Are a tasting room and the terrace (with a bar and fireplace) where wine tasting occurs a "service area?" In other words, is smoking prohibited in the tasting room and the adjoining terrace?

14. COA#68--At the end of the first paragraph at the end after "will not be used for tasting" add "or agricultural promotional events."

15. COA#68--The 3<sup>rd</sup> paragraph ("The authorized agricultural...") should clarify whether "authorized agricultural promotional events" are the same as "permitted agricultural promotional events." Reconcile all definitions. Same for meaning of "event activities" in second sentence.

16. COA#68--The 4<sup>th</sup> paragraph ("Hours of operation...") should specify that "public tasting room visitation and retail sales activities shall be limited to 200 persons per day on the weekday and 500 persons per day on the weekend day, and 1000 persons per week average per month. All public tasting room visitation shall be by prior reservation."

17. COA#68--Add following sentence. "Attendees at all agricultural promotional events, including wine tasting, wine/food pairing events, and 33 special promotional events, shall not exceed 35,000 persons per calendar year."

18. COA#68--Paragraph 1 ("The use of") and 2 ("The project shall") should clarify whether the 6 "authorized events" or the 6 "authorized events" that allow outdoor amplified sound refer only to the subset of 22 events listed in COA#68 (Marketing/Promotional Events, Promotional Events, Charitable Event), or whether they refer to 6 out of the entire 33 event days listed.

19. COA#68--This paragraph should indicate that outdoor amplified sound is not allowed for public visitation wine tasting activities on the terrace. That was VOTMA's understanding of the KinneyBrook agreement. This may be already covered by COA#63.

20. COA#68--The intent of the last sentence ("The use shall be operated...") of the last paragraph ("Any proposed additional...") is unclear and should be clarified. Why is the "proposal statement and the site plan" of File No. PLP09-0062 relevant to current operations?

21. COA#72--The Annual Report should cover the number of persons engaged in public tasting room and wine/food pairing levels of activity as well. The vast bulk of the trip generation for this project relates to the tasting room/retail sales activity. The Applicant should be required to track that level of activity to provide a profile of overall activity at the new tasting room and indicate compliance with visitor limits in comment 18 above.

22. COA#73--The Two-Year Review should apply to tasting room and retail sales activities and to wine/food pairing activities as well. Same reason as #21 above. For most wineries the events are the major potential traffic disruptors. For this project it is both the ongoing tasting room level of visitation and the events that both significantly impact traffic. The Review should cover all activities.

23. COA#74--Clarify the definition/use of the term "special events."

24. COA#75--Any activities that result in use of "overflow parking" require on-site traffic control. Peak harvest days where there are no special promotional agricultural events may still result in over 500 visitors and require use of "overflow" parking. The term "overflow parking" requires definition. Does that mean anything beyond the new tasting room parking? Does it mean anything beyond the current paved and existing marked paved parking together with the new tasting room parking?

25. COA#82b and d--These two provisions need to be reconciled. Is it 3x20 per day, 7 days per week, or is it 4 days per week and no more than twice a day (11 am and 2 pm), with no person limit, but by reservation only?