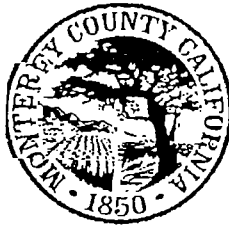


Attachment G

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'FILED'

JUN 15 3 14 PM '99

HANCOCK LUKAS BILL
CLERK TO THE BOARD

DEPUTY

NOTICE OF APPEAL
Monterey County Code
Title 19 (Subdivisions)
Title 20 (Zoning)
Title 21 (Zoning)

No appeal will be accepted until a written decision is given. If you wish to file an appeal, you must do so on or before 6/24/99.

Date of decision 6/9/99

1. Please give the following information:

- a) Name John & Janelia Suwada
- b) Address 8770 Carmel Valley Rd. Carmel, Ca. 93923
- c) Telephone 831-624-7230

2. Indicate your interest in the decision by checking the appropriate box:

Applicant

Neighbor

Other (please state) _____

3. If you are not the applicant, please give the applicant's name:

Coastal Cypress Corporation

4. What is the file number of the application that is the subject of this appeal?

| | Type of Application | Area |
|----|---------------------|-------------------|
| a) | PC- PLN990138 | |
| b) | ZA- 965157ZA | Mid-Carmel Valley |
| c) | MS- | Mid-Carmel Valley |
| d) | AP- | |

5. What is the nature of your appeal?

a. Are you appealing the approval or the denial of an application? (Check appropriate box)

b. If you are appealing one or more conditions of approval, list the condition number and state the condition(s) you are appealing. (Attach extra sheet if necessary)

#5 The use of the wine storage building for

public assemblages for up to 300 people

per day as an included accessory to the

use permit approved by Planning Comm. on April 30, 1997

NOTICE OF APPEAL

ATTACHMENT #1

1 . The use permit for the development of the 8350 square feet wine storage building (file # 965157ZA) did not include the use of the building for public assemblages as stated by the owner. The use of the building was obtained under false pretences by the owner Coastal Cypress Corp. (Chateau Julien Winery); therefore invalidating the use permit.

2. The use of the Wine Storage building for public assemblages for up to 300 people per day violates the wastewater discharge limits for sub-basin 28 which is where the wine storage building is located.

3. The Coastal Cypress Corporation (Chateau Julien Winery) does not have a valid permit for the use of water for the wine storage building from the Monterey Water Management District for the use of water for up to 300 people at the wine storage building per the M.W.M.D. and is in violation of water use when holding public events in the wine storage building.

4. The Noise impact study has not been reviewed by professionals to validate its accuracy. In my opinion the Noise report is not valid since it does not include 300 people and amplified music (which has been used by the winery before) during the acoustical measurements. Also the measurements were not taken at the neighbors residences to determine the effect of noise bounce on two story buildings.

NOTICE OF APPEAL

ATTACHMENT # 2

We disagree with the findings of the Monterey County Planning Commission to allow public assemblages at the wine storage because there was no Environmental Impact Report or assessment written to address the issues of increased traffic and safety, increase in noise from public assemblages of up to 300 people and amplified music, and most importantly the increase in wastewater in a basin containing high nitrates increasing the potential for residential well contamination of which I am a well owner. Also, the Coastal Cypress Corporation (Chateau Julien Winery) does not have a valid permit for water usage from the Monterey Water Management District to allow public assemblages up to 300 people.

The Coastal Cypress Corp misled the Monterey County Planning Commission in applying for the use permit (File # 965157ZA) to develop the wine storage building by indicating at the time of application there would be no public assemblages in the wine storage. The County staff as well as the County Counsel has agreed that the wine storage building should not be used for public assemblages.

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