

Attachment H – MU-23-08 Public Comments

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Comments received for November 7, 2024 Zoning Administrator Hearing

Solano County
Planning Services Division

Re: Minor Use Permit Application MU-23-08
Location: 3695 Vickrey Lane, APN 0101-090-550

October 28, 2024

To Whom It May Concern:

As the owners of 8600 Pleasants Valley Road in Winters, California, we write with concerns about the proposed minor use application.

While generally, we are not opposed to individuals having autonomy over the business they conduct on their property, we take some issue in this case for the following reasons:

- 1) It appears that this same property has been housing a dog breeding/kennel operation which is an ongoing source of noise pollution. We have concerns that a Special Events Facility would only worsen this. This area of Winters is rural and valued for its peace and tranquility.
- 2) The Vickrey Lane access for the project in question is partially provided over an easement on our property. This easement was intended to provide access to a private residence and not for business traffic. Therefore, the proposed use is not consistent with the original intentions of the easement. In addition, the proposed business will cause additional wear and tear on the road without any plan or understanding of how that would be mitigated by the applicants. There are pre-existing unresolved issues between the applicant and the neighbors about how to manage the necessary maintenance of the road that should have previously been addressed.

Yours Sincerely,

Michael Sears & Melissa Marshall

To whom it may concern,

11/5/24

Re: Application MU-23-08

We, the long-standing property owners along Vickrey Lane, wish to express our concerns and opposition to the proposed development project in our area. For decades, we have enjoyed the peaceful, rural nature of Vickrey Lane, which has allowed us to maintain a quiet, private lifestyle in harmony with the natural surroundings. The proposed development, however, threatens to dramatically and adversely alter the longstanding character and tranquility of our community.

The project is expected to bring a substantial increase in traffic—potentially more than 1,000 additional vehicles per year—disrupting the peace, quiet, and solitude that define Vickrey Lane. This influx would not only disturb the character of our neighborhood but also introduce significant inconvenience and safety risks to residents and visitors alike.

Community Opposition

All residents of Vickrey Lane, with the sole exception of the applicants, the Petrillos, are united in opposing this project. Numerous residents from surrounding areas also share our concerns and have signed this letter to voice their opposition. Contrary to the application's claim that most neighbors support this project, our community stands firmly against it. The assertion of neighbor support is misleading and should be addressed as an attempt to sway approval under false pretenses.

Impact on Domestic Animals

The increase in noise and traffic will disrupt not only the lives of residents but also the wellbeing of our animals. Several of us, including the Flahertys, keep horses on our properties, which are sensitive to sudden changes in their environment. Horses, as well as other domestic and wild animals, could experience stress or harm from the heightened noise and activity levels associated with this project. This impact on our animals should not be overlooked, as it significantly affects the rural lifestyle we have worked on to preserve.

Noise Pollution

We anticipate a marked increase in noise pollution if this development is approved. The area's topography allows sound to carry easily, which could lead to amplified disruptions for nearby properties, especially given the prospect of events involving loud music. Our community has a long tradition of mutual respect, with residents choosing activities that maintain the area's peace. Unfortunately, recent instances of dog training activities held by the Petrillos have already introduced unwanted noise, causing distress to several neighbors. Expanding their property use to an event facility would only escalate these disruptions.

Environmental Concerns

The proposed development is likely to disturb the abundant wildlife that inhabits the surrounding hills, lake, and creeks. While an environmental review has deemed the project non-impactful, we believe this assessment does not fully account for the nuanced effects increased human activity, vehicle emissions, and noise will have on local ecosystems. With ongoing recovery from recent wildfires, our environment is in a fragile state. The introduction of an event facility could hinder its natural recovery and further strain wildlife attempting to return to the area.

The proximity to the creek bed increases our concern for potential spill off pollution from both the event attendees and their vehicles that will no doubt leave an ecological footprint on the land they will be driving and parking on.

Traffic and Road Impact

Increased traffic will undeniably alter the atmosphere and safety of Vickrey Lane. To accommodate frequent events, commercial signage, equipment trucks, and regular visitor traffic would be required. This intrusion will fundamentally change the character of our quiet, secluded neighborhood, creating a new draw for sightseers and potential clients for the facility. Moreover, events are not confined to single-day activities; setup, rehearsals, and takedowns will add further congestion. This road was designed to service the needs of the surrounding property owners for practical daily use purposes that lean more towards basic residential road use needs, it is simply not designed to support heavy commercial weight event trucks nor is it suitable to support potentially thousands of additional vehicles annually driving between the properties.

The impact on Vickrey Lane itself is also of concern. This rural road has been maintained by residents through community efforts, and the proposed increase in traffic would impose additional wear and tear. The road, although bumpy, has consistently served our needs, including allowing safe passage for emergency vehicles. The strain from increased traffic could compromise this safety and lead to costly repairs for residents.

In addition, the Petrillos in past attempts to acquire a Minor use permit failed to acquire the necessary Private Road Maintenance Agreement from the surrounding property owners on the road in question. To my knowledge, none of the property owners have changed their position on cooperating with the Petrillos as it pertains to the private road maintenance agreement.

Lack of Event Management Experience :

As long-term residents of Vickrey Lane, we have observed multiple attempts by the Petrillos to pursue commercial activities on their property, often at the expense of the surrounding environment and the peace of our small community. These past efforts have not only disrupted the neighborhood but also raise serious concerns about the Petrillos' capability to manage a large-scale event facility responsibly and in compliance with local regulations.

In previous years, the Petrillos operated a horse boarding and training facility on their property. This venture was ultimately shut down by authorities due to incidents of animal neglect, as reported by multiple community members. More recently, the Petrillos have hosted Saturday morning dog training sessions that have been a consistent source of noise disturbance. Neighbors have raised concerns over the dogs' incessant barking, which has affected the neighborhood's tranquility, particularly during weekends when families are spending time together. These examples indicate a recurring pattern of projects that disrupt the area's peaceful environment and strain relations with surrounding neighbors.

Given this history, we have significant concerns about the Petrillos' lack of experience in managing events and their ability to operate a commercial event facility in accordance with industry standards, safety protocols, and legal requirements. Hosting events with over 100 attendees requires a high level of planning, adherence to health and safety standards, and a commitment to minimize impacts on the surrounding community. Key issues include:

- **Attendee and Resident Safety:** Managing large gatherings necessitates experience in crowd control, emergency preparedness, and ensuring safe ingress and egress for attendees and residents alike. Given the rural nature of Vickrey Lane, proper planning for emergency vehicle access is essential.

- **Noise Ordinance Compliance:** Consistent noise disturbances are a major concern for all residents, and compliance with local noise regulations will be essential to prevent further disruptions to our peaceful neighborhood.
- **Waste Management and Sanitation:** The scale of events proposed will require diligent management of waste disposal and proper maintenance of sanitation facilities to ensure environmental health standards are met.
- **Environmental Considerations:** The proposed increase in activity may impact wildlife and natural habitats surrounding the area, as well as the quality of life for residents. Measures to mitigate these impacts would need to be planned and implemented effectively.

In light of these considerations, we respectfully urge the County Hearing Board to assess whether the Petrillos possess the necessary qualifications and experience to manage a large-scale event facility. Without a demonstrated capacity for responsible management, we are concerned that this development may lead to negative consequences for the residents, animals, and environment of Vickrey Lane.

We respectfully urge the County Hearing Board to consider the serious impact this project would have on the Vickrey Lane community, its residents, and its wildlife. Approving this development would disrupt our way of life, undermine the natural beauty of the area, and strain the infrastructure we have worked to maintain.

This letter is signed by the undersigned residents and community members who oppose the project:

- Diane Flaherty – 3700 Vickrey Lane

- Jim ^{HAWLEY} ~~Flaherty~~ – 3685 Vickrey Lane

- Ernie Carrion – 3656 Vickrey Lane

- Michael Sears – 8600 Pleasants Valley Rd

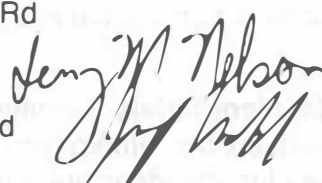

- Jerry Nelson – 8505 Pleasant Valley Rd

- Jeremy Murdoch – 3680 Putah Creek Rd

- Dave Psilas – 3700 Putah Creek Rd

- Greg Ferguson – 3736 Putah Creek Rd

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In light of these considerations, we respectfully urge the County Hearing Board to assess whether the Petrillos possess the necessary qualifications and experience to manage a large-scale event facility. Without a demonstrated capacity for responsible management, we are concerned that this development may lead to negative consequences for the residents, animals, and environment of Vickrey Lane.

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PATRICK SHANNAS 8466 PLEASANTS VALLEY RD.

Debbie Shannas 8466 Pleasants Valley Rd.

Deborah Shannas 11-6-24

Jesse ORTIZ - Attorney @ Law.

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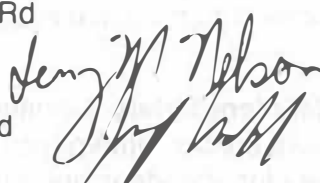

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DESMOND, NOLAN, LIVAICH & CUNNINGHAM
ATTORNEYS AT LAW

November 6, 2024

Via Email

Solano County Department of Resource Management
Office of the Zoning Administrator
675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
Planning@solanocounty.com

**Re: Opposition to Minor Use Permit Application MU-23-08 Under Consideration at the
Public Hearing on November 7, 2024**

To Whom it May Concern--

I am writing on behalf of the concerned property owners along Vickrey Lane that are vehemently opposed to an approval of Michael and Ronda Petrillo's ("Petrillos") Minor Use Permit ("MUP") Application to establish a Special Events Facility at 3695 Vickrey Lane, Winters, CA 95694.

In addition to the concerns raised by the property owners, there are requirements within the Solano County Code that the Petrillos have failed to satisfy precluding approval of their MUP. Section 28.73.30(A)(2) clearly and explicitly states:

If access is from a private road, there shall be a recorded road maintenance agreement in effect for all properties served by the private road.

The Staff Report submitted for the MUP at issue found that (1) Vickrey Lane is a private road, and (2) no recorded road maintenance agreement exists here. Instead, Staff recommends approval based on the willingness of the Petrillos to "agree[] to a condition of approval requiring repair of any excess wear to [] Vickrey Lane resulting from the operations of the special events facility" and based on the Petrillos' statement that most of the property owners are in support of the project. This recommendation by Staff is fatally deficient for a number of reasons.

First and foremost, Section 28.73.30(A)(2) is clear and contains no written exceptions. The language promulgated by the County is both mandatory and unambiguous—"there **shall** be a recorded road maintenance agreement in effect for all properties served by the private road." The Zoning Administrator does not have the authority to create exceptions where the language of the

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Gary Livaich
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Earl D. Desmond
(1895-1958)
E. Vayne Miller
(1904-1965)
Richard F. Desmond
(1923-2004)
William C. Livaich
(1950-2007)

November 6, 2024

Page 2

Code is unambiguous. To the extent that the Zoning Administrator finds an exception appropriate, it would have to submit a recommendation to the County Board of Supervisors to amend the Code. Unless and until the Code is amended through the legislative process, all public assembly uses must comply with the standards currently set forth in the Code and those standards require a recorded road maintenance agreement. No such agreement exists here and therefore, the MUP cannot be approved.

Second, contrary to the representations made by the Petrillos, most, if not all, of the property owners do **not** support the project. This was a patently false statement made by the Petrillos to Staff which, notwithstanding the lack of a recorded road maintenance agreement, would serve as a strong basis for denying the MUP in and of itself.

Third, the purpose behind requiring a recorded road maintenance agreement would not be served by the recommended "condition of approval requiring repair of any excess wear to the Vickery Lane resulting from the operations of the special events facility." What constitutes "excess wear"? How would the costs to maintain and repair the road be allocated amongst the owners? What types of damage would "result[] from the operations of the special events facility"? These are just some of the concerns that would otherwise be negotiated and delineated within a written agreement, making the rights and liabilities of the owners along the private road both clear and enforceable. The recommended condition of approval, on the other hand, contains inherent ambiguities that would make the condition difficult to enforce and invite litigation. The Zoning Administrator should not create ambiguities where the language of the Code is so clear.

Ultimately, irrespective of all of the other concerns and issues raised by the property owners at the hearing, the MUP must be denied because the Petrillos failed to secure a recorded road maintenance agreement as specifically required under Solano County Code Section 28.73.30(A)(2).

Very truly yours,

DESMOND, NOLAN, LIVAICH & CUNNINGHAM



James Silverthorn

Mr. Travis Kroger
Associate Planner,
Planning Services Division
Solano County Department of Resource Management

Comments re. Proposed Zoning Variance for Vickrey Lane Permit application MU-23-08

We have concerns about the rural nature of our area and its sensitivity to wildfire.

The proposed change would allow special events to take place on the property. We would like to see that the traffic generated by the events be accommodated on the property and not allowed to park along the public roadways. The parking areas should be designed and constructed with a hard nonflammable surface so that cars do not spark wildfire by parking in the dry grass in our vicinity. There should be a conservative estimate of the number of parking spaces required based upon an agreed maximum number of special event guests to ensure that there is adequate safe parking. A ratio of 2.5 occupants per vehicle as used for parking estimates in urban environments may not be adequate, a ratio of 1.5 occupants per vehicle used should be sufficient to provide necessary parking for events in our area. Run off from the parking area should be captured and allowed to soak into the ground rather than running directly to the nearby seasonal creek. For fire safety and security, a policy of not allowing smoking, drugs or alcohol would be appreciated.

In 2011 my wife and I attended a wedding and reception in the Winters area where there was cooking in a barn on the property, the caterer allowed the cooking area to catch on fire and the barn partially burned down. The firefighters had a tough time quenching the fire due to lack of an adequate water supply at the venue and no sprinklers, hoses or fire extinguishers within the facility to address fires as you might find in any commercial kitchen. There was also confusion about the address by the responding fire department. These are shortcomings that should be addressed during the planning/permitting process and apparently were not by Yolo County/City of Winters. If there is cooking/catering planned for future special events at the property steps should be taken during the planning/permitting process to ensure the safety of special event guests and neighbors, if cooking or catering is considered as a part of future special events an adequately designed and equipped commercial kitchen facility should be included/required onsite to minimize problems of the sort described. While food trucks might seem to be an adequate alternative the use of these vehicles can result in a fire risk. We have attended various

events at farms in the area over the years and have observed that the most effective way of supporting a special event appears to be using local restaurants to provide catering, prepared in their kitchens and served onsite. Perhaps this could be considered for this location.

Noise is a concern in our area. There should be reasonable limits on the volume of noise generated by future special events and a timetable for when events can start and end, this timetable could be available for review to allow nearby neighbors to know what is happening in their neighborhood. We do not want to listen to amplified noise, drums or instruments or have to hear gunshots, fireworks or other noisemakers.

The property on Vickrey Lane borders on a seasonal creek which after the LNU fire was left full of tall dead trees that were killed by the fire. These dry dead trees, some of which are more than 30 feet tall, are unpredictable hazards to anyone standing near them and should be removed from the property considered for this variance.

The property borders on a seasonal creek, additional care should be given to sanitation needs for a special event facility. Leach fields for permanent restroom facilities would need to be designed, reviewed and permitted to ensure that the pollution generated by hordes of daytime guests does not find its way into the creek and nearby lake.

We also worry that the special event venue might evolve into an overnight guest facility or campground. The county operates a particularly good campground with rangers to provide security in our area with permanent restrooms at Lake Solano and the city of Winters has adequate hotels to accommodate overnight guests, an additional facility for overnight stays in our area is not necessary.

Given the impacts described for the proposed special event facility, Noise, Fire, Sanitation, Pollution and Traffic we feel that the mitigation measures necessary will challenge the Categorical Exemption to CEQA assigned to this project. It may be prudent to require a study of the impacts that this project will have.

Thank you for considering our comments.

Comments received for June 5, 2025 Zoning Administrator Hearing

VACAVILLE FIRE PROTECTION DISTRICT

420 Vine Street
Vacaville, CA 95688
(707) 447-2252
FAX (707) 447-2769



DAVID KUNTZ
FIRE CHIEF

June 4, 2025

Travis Kroger, Project Planner
Solano County Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533-6341

Dear Mr. Kroger:

Regards: 3695 Vickrey
Application MU-23-08

We have reviewed the Project Notification and Request for Review Application for the MU-23-08; The Vacaville Fire Protection District requires that the following conditions be met.

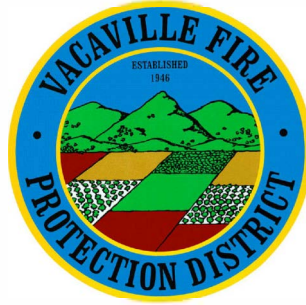
1. Vickrey Lane and driveways onsite shall be at least twenty feet in width.
2. A turnaround (cul-de-sac) shall meet fire code standards.
3. There shall be no parking on or obstructions on Vickrey lane and driveways.
4. All gates shall be at least twenty feet in width.
5. During events, gates shall remain open.
6. Overhead clearance of limbs, trees etc. shall be a minimum of 15 feet above roadways and driveways. Title 14 CCR Div. 1.5, Chapter 7, Subchapter 2, Articles 1-5
7. Fire water supply will be calculated at a later time.
8. Emergency Response Plan shall be prepared that provides onsite training of staff, evacuation protocol in the event of an emergency and measures to reduce risk.

If you have any questions or I can be of any assistance, please do not hesitate to contact me.

Sincerely,

VACAVILLE FIRE PROTECTION DISTRICT

420 Vine Street
Vacaville, CA 95688
(707) 447-2252
FAX (707) 447-2769



DAVID KUNTZ
FIRE CHIEF

Tim Walton

Mr. Travis Kroger
Associate Planner,
Planning Services Division
Solano County Department of Resource Management

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Re: Opposition to Minor Use Permit Application MU-23-08 Under Consideration at the Public Hearing on June 5, 2025

To Whom it May Concern--

I am writing on behalf of myself and the concerned property owners along Vickrey Lane and surrounding properties that are opposed to any approval of Michael and Rhonda Petrillo's ("Petrillos") Minor Use Permit ("MUP-23-8") Application to establish a Special Events Facility at 3695 Vickrey Lane, Winters, CA 95694.

To begin with, one of the biggest most glaring issues with MU-23-8 is Solano County Zoning administrator has assumably and arbitrarily made an erroneous statement in/on the Petrillo's special use application that reads,

"The subject use will not under any circumstance of this particular case constitute a nuisance, or be detrimental to the health, safety, peace, morals, comfort or general welfare of the persons residing, working in, passing through the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county"

That is simply not accurate or true statement that is being illustrated in MU-23-8 and objected to by most effected property owners. This position of effected property owners has been made known to the Solano Couty Zoning Commission verbally at public meetings and letters from property owners and council.

See bullets for missing information, misstated or arbitrary language in Petrillo's MU-23-8 application that should be grounds that the application and or permit MU-23-8 NOT be approved by Solano County Administrator.

June 4, 2025

Page 2

- No Fire plan or evacuation plan per the SRA VHFHSZ
- No SRA required specifications
- Property is identified as "agricultural production". Petrillo's property is a residential property
- MU-23-8 states 150 attendees allowed but only 38 parking spaces allowed for these events. This is not realistic or enforceable
- No designated county oversite to manage or supervise the events comply with MU-23-8 requirements.
- No considerations or oversite to have staff present to make certain all activities of MU-23-8 are being followed including excessive noise.
- No environmental studies required by staff is an arbitrary position.
- Majority of surrounding property owners are against this proposed special use permit being approved, which has been shared during public meeting comments and with letters to Solano County Zoning Administrator.
- No considerations or added means methods IE law enforcement to monitor reckless driving and lawlessness generated from events at Petrillo's venue.
- County Staff is aware that the Vacaville Fire District is understaffed and underfunded to properly respond to and deal with fire and emergencies, yet staff will approve an additional 150 people be allowed to be in one area which possibly could overwhelm fire district staffing during an emergency.
- Staff state that MU-23-8 application is consistent with the SRA VHFHSZ fire requirements. This is simply not correct, accurate or true.
- Solano County arbitrarily changed private road agreement to allow permits to proceed.
- The applicant has described during LNU fire emergency alert system wasn't operating correctly and roads were bumper bumper. Knowing this why it makes sense to allow 150 people to be in a confined space that will use a private road to access a public road that has stopped traffic.

In closing the Solano Zoning Administrator is aware of the overwhelming public opposition of allowing Petrillo's MU-23-8 to be approved or move forward. The facts stated in this letter show beyond doubt this Special Event Facility is not a good or safe fit at the location shown on the permit. The approval of MU-23-8 is straining local fire and emergency resources that are for all property owners in this area, and Petrillo's and the county are blindly creating a serious and willful condition when not considering this to the well-being of the whole area.


Additionally, it is the position of people opposed to this MU-23-8 that Solano County is siding with the applicant and not listening to many adjacent property owners. We say this as the County has arbitrarily changed zoning and private road language to allow this MU-23-8 to move forward. Please note that the people that are opposed are tax paying voting citizens and feel they are not being supported by the county and or local government representatives.

We respectfully request Solano County reject and not approve Petrillo's MU-23-8 given the serious reasons and facts of this letter.

June 4, 2025

Page 3

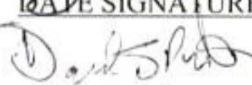
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6-4-25
3736 PUTAH CREEK RD


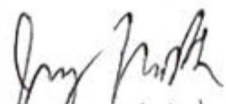
DATE SIGNATURE

6-4-25
Kathy NELSON
Jenny M Nelson 6/4/25

DATE SIGNATURE

6-4-25

3700 Putah Creek RD

DATE SIGNATURE


3680 Putah Creek Rd.
Winters, CA. 95694

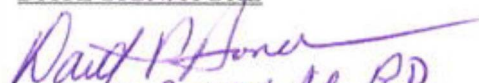
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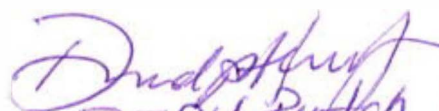
Reva Lee Hemken
3876 Putah Ridge Trl
Winters CA 95694

DATE SIGNATURE


3794 Putah Creek Rd
Winters, Ca 95694

DATE SIGNATURE


3794 Putah Creek Rd
WINTERS CA 95694


3794 Putah Creek Rd
WINTERS CA 95694

June 4, 2025

Page 4

Ryan Jensen
8663 Pleasants Valley Rd
Winters CA 95694

Cheri Jensen
8663 Pleasants Valley Rd.
Winters, CA 95694

DIANE F. Leaty
Diane Leaty
3700 Hickory Ln
Winters, CA 95694

June 4, 2025

Via Email

Solano County Department of Resource Management
Office of the Zoning Administrator
675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
Planning@solanocounty.com

Re: Opposition to Minor Use Permit Application MU-23-08 Under Consideration at the Public Hearing on June 5, 2025

To Whom it May Concern--

I am again writing on behalf of the concerned property owners along Vickrey Lane that are opposed to any approval of Michael and Ronda Petrillo's ("Petrillos") Minor Use Permit ("MUP") Application to establish a Special Events Facility at 3695 Vickrey Lane, Winters, CA 95694. The hearing scheduled for June 5, 2025, is a continuation of the hearing that took place on November 7, 2024, and comes in response to Ordinance No. 2025-1861 adopted 4/22/2025 and effective as of 5/23/2025 ("Ordinance 1861").

At the first hearing, the Petrillos' application could not move forward because Solano County Code ("Code") Section 28.73.30(A)(2) stated:

If access is from a private road, there shall be a recorded road maintenance agreement in effect for all properties served by the private road.

There was no dispute that (1) Vickrey Lane is a private road, and (2) there is no recorded road maintenance agreement in effect for the properties that border and use Vickrey Lane. This section of the Code was both mandatory and unambiguous. Based thereon, the Petrillos' application was suspended indefinitely in anticipation of a "planned" change to the Code that would subvert the protections provided by the road maintenance agreement requirement. This change came in the form of Ordinance 1861.

Ordinance 1861 changed the landscape to give the decisionmakers discretion on whether to require a road maintenance agreement as a condition of approval. The Solano County Road Improvement Standards and Land Development Requirements (“County Standards”) changed the recorded road maintenance agreement requirement for private roads to the following:

For applications of development (new or changes to) on existing parcels where primary access is provided through a Private Road shared by other parcels, the applicant shall be conditioned to pay its fair share of the Private Road maintenance costs in proportion to the additional use made under the application as defined by California Civil Code 845, as amended from time to time.

The Director of Resource Management may waive this standard if one of the following conditions apply:

- a. An existing recorded Private Road Maintenance agreement over the Private Road in question exists
- b. *Circumstances of the application require that the Director condition the application to execute a Private Road Maintenance Agreement with all parcel owners.* The Maintenance Agreement shall be submitted to the Director for review and approval prior to recording.

The new section purports to bring the Code section into compliance with Civil Code § 845 and allows the Director to require a private road maintenance agreement where “circumstances of the application” still require one. However, said “circumstances” are not defined and no precedent has been set leaving such determinations to the sole discretion of the Director.

Here, Vickrey Lane is a dead-end road that provides access to only a few properties. Attached hereto as **Exhibit A** are pictures of Vickrey Lane that should help with addressing the concerns raised by the opponents to the MU-23-08. As you can see, to reach the Petrillos’ property at the end of the road (circled in red), one must traverse over and past all of their neighbors (circled in blue)—neighbors which have, at both the earlier hearing and now, expressed concerns and opposition to the Petrillos’ proposed use and MUP application. Moreover, the MUP application states that “[t]he proposed facility will meet all standards listed in Section 28.72.10” of the Code. With respect to roads and driveways—public or private—section 28.70.10(B)(6) requires that “[a]ll land uses **shall** comply with the [County Standards].” County Standards require:

For projects serving one to four parcels, the road (also called a driveway) shall be built as required by the provisions of the California Fire Code Section 902 - Fire Department Access (including Appendix III-D), or Public Resources Code Section 4290 - Fire Safe Regulations, whichever applies. The road shall be constructed of

0.67 feet of compacted Class 2 aggregate base. The width of the road shall be 20 feet, with 60 foot long by 8-foot-wide turnouts every 300 feet (for roads over 300 feet long), plus 4-foot graded shoulders, and shall also have an unobstructed width of 28 feet.

Vickrey Lane was first constructed shortly after the final map for the Vickrey Subdivision was adopted by and recorded with the County in 1981. It is a private roadway and utilities easement serving only a few owners that have maintained it since its initial construction. Vickrey Lane is not currently in violation of either the Code or California state fire safety regulations. That being said, Vickrey Lane, as originally constructed with the intent that it serve as a private roadway and utilities corridor, was not designed to support access by emergency wildfire equipment and evacuation by citizens concurrently. Now, however, the Petrillos' MUP application and proposed use would bring Vickrey Lane within the purview of the County's and the State's updated standards and the requirements contained therein. Therefore, prior to approving any land use permit application along Vickrey Lane, it would have to be brought up to the applicable standards which are absolutely necessary for safety, among other things, especially when considering the applicants' proposed use of their property as a special events center.

Surely, only the applicant would be responsible for the costs of improving Vickrey Lane. In California, "nonconsenting coowners of an easement in the nature of a right-of-way may be compelled to contribute to the keeping of the way in *repair* [see Civil Code § 845], but they may not, without their consent, be compelled to contribute to the cost of major improvements." (*McManus v. Sequoyah Land Associates* (1966) 240 Cal.App.2d 348, 355.) Expanding and improving Vickrey Lane, as required for the MUP here, would not constitute repair for which the other owners would be responsible. (See, e.g., *Holland v. Braun* (1956) 139 Cal.App.2d 626.)

Irrespective of the costs, the neighbors of Vickrey Lane contest the Petrillos' right to make substantial improvements to Vickrey Lane at all. Under California law, the Petrillos do not have the right to make the required and substantial improvements to Vickrey Lane that would be necessary for the approval of their MUP application. As constructed, and as it has existed for nearly the past 50 years, Vickrey Lane is only roughly 16 feet wide with only a very insignificant portion of the "cul-de-sac" located on the Petrillos' property. The vast majority of the existing road and the private roadway easement is located on the other neighboring properties. While it is recognized that the "owner of a dominant estate may do that which is reasonably necessary to enjoy the easement and, as an incident thereto keep it in repair and fit for use," it is just as well-recognized that an "easement may not be substantially altered without the consent of the owner of the servient estate." (See *Scrubby v. Vintage Grapevine, Inc.* (1995) 37 Cal.App.4th 697, 707 [internal citations omitted].) Vickrey Lane was created as a private roadway to serve the Vickrey Subdivision and provide an avenue for utilities thereto—it was not designed nor intended to support events hosting

up to 150 people. Expansion of the roadway for that purpose threatens to overburden the easement, would require the relocation of the utilities located therein, and would ultimately constitute a substantial alteration that is subject to the consent of the other owners located along Vickrey Lane.

It is also important that we reiterate and stress the fact that Vickery Lane and the surrounding properties are located in a rural area classified and designated as part of a **very high fire hazard severity zone**. Allowing the Petrillos to introduce special events with up to 150 people into this area significantly increases the risk of fire, the costs of which would be disproportionately borne by the residents of Vickrey Lane and other surrounding property owners. Unlike the event attendees, the surrounding property owners would be working against time to evacuate not only themselves but also, to the extent possible, their animals and personal belongings. While the residents of Vickrey Lane and surrounding areas scramble to collect their things, the only means of evacuation—namely, Vickrey Lane and Pleasants Valley Road—would already be congested by the fleeing event attendees. Additionally, it should be noted that while Vickery Lane is located in a State Responsibility Area, it is primarily served by the Vacaville Fire Protection District which relies on volunteers and is both understaffed and underfunded as relating to both fire and safety response. In times when fires have resulted in significant loss of life and property damage, we ask that the County take these concerns seriously and into consideration when making any land use decision including the one at hand.

As discussed herein and in the other letters/comments submitted in opposition of the MUP, MU-23-08 should and must be denied or, at a minimum, conditioned on all owners along Vickery Lane entering into a bargained-for road maintenance agreement sufficient to address the concerns outlined above.

Very truly yours,

DESMOND, NOLAN, LIVAICH & CUNNINGHAM

A handwritten signature in black ink, appearing to read 'JS', followed by a horizontal line.

James Silverthorn

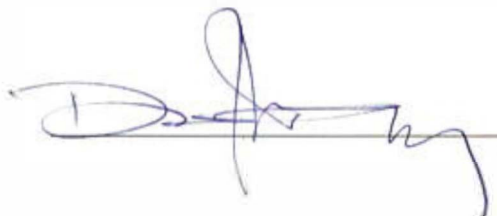
Enclosures

June 4, 2025

Page 5

Signatures of the Residents of Vickrey Lane and Surrounding Properties Joining in the Submission of this Letter in Opposition to MU-23-08:

DIANE FLAHERTY
3700 Vickrey Ln.
Winters, CA 95694
Name: JERRY NELSON, Kathy Nelson
Address: 8505 PLEASANTS VLY RD
WINTERS, CA



DAVID BAIHA
3700 PUTAH CREEK RD
95694 WINTERS CA

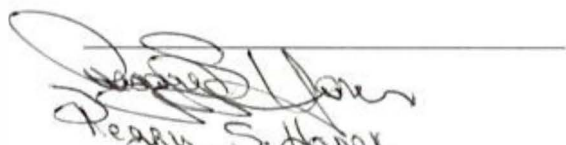


Jeremy Mudduck
3680 Bulah Creek Rd.
Winters, CA 95694

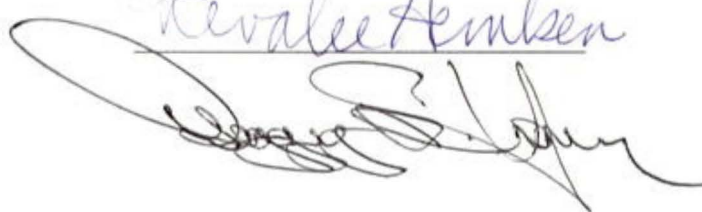


Revallee Hemken
3876 Putah Ridge Trl
Winters CA 95694

Revallee Hemken
3866 Pleasant Valley Rd
Winters CA 95694



Peggy S. Honer
3794 Putah Creek Rd
Winters, CA 95694

Revallee Hemken


DESMOND, NOLAN, LIVAICH & CUNNINGHAM
Attorneys at Law
15th & S Building
1830 15th Street
Sacramento, California 95811
Telephone: 916/443-2051

DAVID PHONER SR
3794 PUTAH CR RD
WINTERS CA 95694

DAVID PHONER JR
3794 PUTAH CR RD
WINTERS CA 95694

Signatures of the Residents of Vickrey Lane and Surrounding Properties Joining in the
Submission of this Letter in Opposition to MU-23-08:

Name:

Address:

6-6-2025


8140 Olive School Lane

Sharon Spier

June 4, 2025

Page 5

Signatures of the Residents of Vickrey Lane and Surrounding Properties Joining in the
Submission of this Letter in Opposition to MU-23-08:



Name: PAT SHURNAS

Address: 8466 PLEASANTS VALLEY RD, WINTERS, CA 95694



Name: DEBBIE SHURNAS



Name: DAVID A. WAST

8555 Pleasants Valley Road, Winters, CA 95694



Name: JEFF JANAKA

ERNEST CARRION
3656 VICKREY LANE
WINTERS, CA 95694



6-4-2025

Shannon Carrion
3656 Vickrey Lane
Winters, CA 95694
Shannon Carrion 6-4-2025

Additional Signatures of Vickrey Lane residents opposed to MU-23-08
Please add to attachment letter sent by James Silverthorn on 6/4/25 to
planning@solanocounty.gov

EXHIBIT A

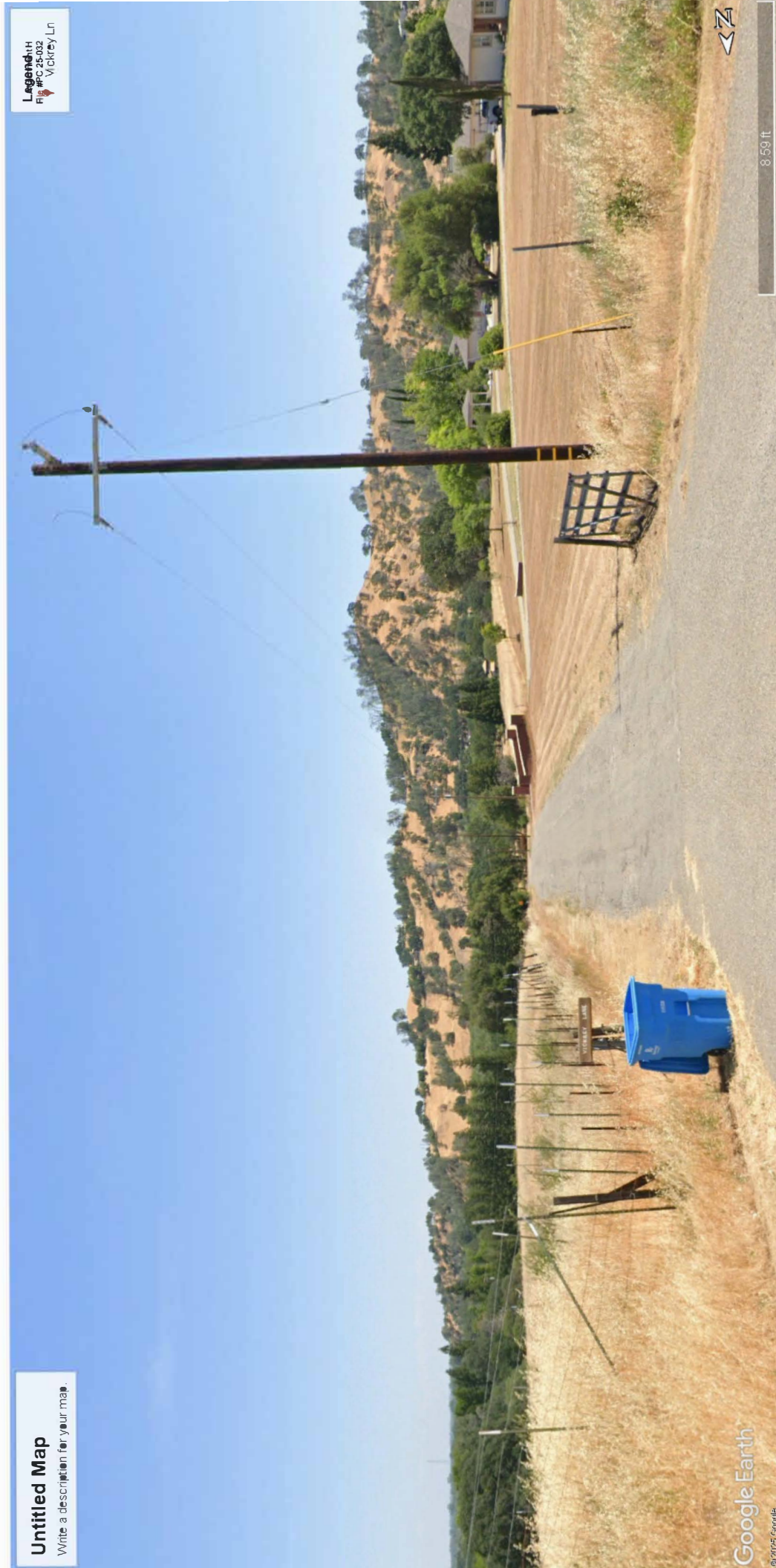


Legend: H
File #PC 25-032
Vickrey Ln

Untitled Map
Write a description for your map.

Untitled Map
Write a description for your map.

Legend
File #PC 25-032
Vickrey Ln



Comments received for June 19, 2025 Zoning Administrator Hearing

From: [Calder, Allan M.](#)
To: [Bezek, James M.](#); [Tokar, Holly E.](#); [Kroger, Travis J.](#); [Nelson, Nancy C.](#)
Subject: FW: MU-23-08
Date: Wednesday, June 18, 2025 5:18:43 PM
Attachments: [image002.png](#)

From Tim Walton

Allan Calder - Planning Manager, AICP
Solano County Department of Resource Management
Planning Division
675 Texas Street, Suite 5500
Fairfield, CA 94533
(707) 784-3159
Amcalder@solanocounty.gov

NOTE: New e-mail extension of .gov in effect on March 1st, 2025

We have a new website! <https://www.solanocounty.gov/government/resource-management/planning-services>



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From: Inspections <inspections@vfpd.net>
Sent: Wednesday, June 18, 2025 4:11 PM
To: Calder, Allan M. <AMCalder@SolanoCounty.gov>
Subject: MU-23-08

Hi Allan,

Please withdraw my letter dated June 4, 2025 written to project planner Travis Kroger. Captain Paul Dahlen's letter written in November of 2023 applies to this project.

After today's site visit, the property meets Captain's Dahlen requirements.

Tim Walton

[EXTERNAL Email Notice!] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

From: [Dave Kuntz](#)
To: [Kroger, Travis J.](#)
Cc: [Nelson, Nancy C.](#)
Subject: APPROVED - Project MU-23-08 for Vickrey Lane
Date: Wednesday, June 18, 2025 3:28:16 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.png](#)

Hello,

Please accept this email as the final decision regarding the fire code assessment by Vacaville Fire Protection District (VFPD), which aligns with the original approval, issued by Paul Dahlen, Fire Prevention Captain, on Friday, January 12, 2024.

Following today's site visit with representatives from the County, our (VFPD) fire inspection team, and Battalion Chief Jason Keune, all parties agree that the project does not violate the Fire Code, as it currently stands,—assuming no new permanent structural construction takes place. Furthermore, it has been determined that a small Farmstand is not considered permanent, nor is it structural construction, nor does it exceed 50% as improvements.

Location: Project MU-23-08 for Vickrey Lane

Status: **Approved** – Fire Code Assessment

- **State Minimum Fire Safe Regulations, Article 2 Ingress and Egress, section 1273.00-1273.09**

Exempt, improvements do not exceed 50% and no new structure is being constructed.

- **Dead-End Road (20-Foot-Wide):**

Exempt, as this requirement applies only to new construction.

- **Existing Roadway (16 ft with 4-ft shoulder, rated for 75,000 lbs):**

This configuration is already in place and meets our fire access needs, including vehicle pull outs

- **20-Foot-Wide Entrance to property:**

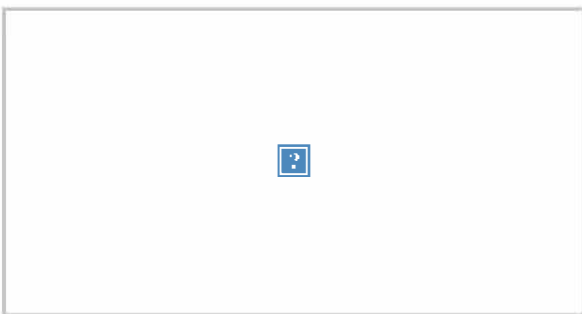
Exempt:

- No new structural construction
- On-site parking areas are present

- **2nd Ingress/egress from the property**

- 2nd ingress/egress access is already in place and accessible by owners during an event.
- During a non-event, fire can utilize the gate for fire access.

Please let me know if you have any questions or require additional clarification.



From: Kroger, Travis J. <TJKroger@SolanoCounty.com>

Sent: Tuesday, January 16, 2024 12:49 PM

To: Paul Dahlen <paul.dahlen@vfpd.net>

Subject: RE: Project Notification and Request for Review - please respond by January 24, 2024

Hello,

That is helpful, thank you. The comment I had sent was from Cal Fire staff but they were just quoting the general regulations as far as I know. Your explanation of what is required in this case is helpful. As far as I know they are not proposing any new structures to be used (other than potentially restrooms) and use temporary tents for the proposed events. Whenever I visit the site I will take pictures of the road and share them with you, but otherwise I will incorporate the information below in imposing conditions on the site.

Thanks,

Travis Kroger

Associate Planner

Planning Services Division

Department of Resource Management

675 Texas Street, Suite 5500

Fairfield, CA 94533

Tel: 707 784 3173



From: Paul Dahlen <paul.dahlen@vfpd.net>

Sent: Tuesday, January 16, 2024 12:02 PM

To: Kroger, Travis J. <TJKroger@SolanoCounty.com>

Subject: RE: Project Notification and Request for Review - please respond by January 24, 2024

Hi Travis.

Okay. Did you receive a notice from CALFire directly, or is someone using the CALFire regulation to address the road width with you?

Solano County Resources Office goes by the CALFire / State of California Resource code requirements for the roadways. This code applies to new construction with the 20ft wide road. Your project is not new construction, its an existing road with and existing property that is being used for a new purpose.

Having a 16ft road with 4ft shoulder capable of bearing the weight of a 75000lb vehicle is sufficient for my needs. Another option without having to re-asphalt or concrete the existing road would be to gravel the existing road so you had the 20ft width. Right now with the existing road, can this road allow for cars to pass each other in opposite directions?

The code regarding roads is called California Code of Regulations, Title 14, Chapter 7- Fire Protection, SubChapter 2 State Minimum Fire Safe Regulations, Article 2 Ingress and Egress, section 1273.00-1273.09, regarding road conditions. In that code it states what the standards shall be for a One-Way road access, which Vickrey Lane and the parcel location would qualify under. It states a roadway with two 10ft lanes going in and out of the property is required. But **this requirement is for either new development on the site or 50% improvements** on existing structures or adding new structures on existing parcels with a road that does not meet the 20ft requirement.

The dead end road issue with the code is that Vickrey lane is a dead end road that is a 1200ft distance from the designated parcel. Vickrey Lane is a about a 16ft road going to the end with an improved shoulder. It is not necessary to improve this further than it is right now. The code states that dead end roads have to be 20ft wide, but that does not apply to existing properties. A new construction of a permanent residential or commercial structure could require such an improvement. In my opinion Vickrey Lane is adequate from the parcel entrance to Pleasants Valley Rd..

Now comes the parcel itself and the existing driveway. The driveway is not 20ft in width in parts, but no new structural construction is going on. Looking at the map provided and the property itself, there are several parts that have sufficient passing width, pullouts, parking areas for turn around or shelter-in-place.

As I read the code, what is installed as a driveway now from Vickrey Lane should be sufficient. I would recommend to the owners doing a little improvement work on the main driveway and widen it enough for two vehicles to pass, but during wildland fire season the ground should be hard enough for two vehicles to pass each other.

Please let me know if you need any further information.

Paul Dahlen

Fire Prevention Captain
Vacaville Fire Protection District
420 Vine Street
Vacaville, CA 95688
☎ (707) 447-2252 x18
📠 (707) 447-2769
Cell: (530) 520-3721
Email: paul.dahlen@vfpd.net
Website: www.vfpd.net

From: Kroger, Travis J. <TJKroger@SolanoCounty.com>
Sent: Tuesday, January 16, 2024 9:26 AM
To: Paul Dahlen <paul.dahlen@vfpd.net>
Subject: RE: Project Notification and Request for Review - please respond by January 24, 2024

Hello,

I do have one more question for you:

Cal Fire sent me the following comment:

Please revise the site plan to show the width of the access roads to the parking areas. 20' minimum width is required for access to parking areas. Any road less than 20' in width shall be considered a one-way loop road and must start and stop at a two-way road. Roads must be all weather, not include any stream crossings, and support 75,000 lb. fire apparatus

As proposed the road through the site will be a 16' wide one way road rather than a one way loop or 20' two way road. Would that be a concern for you also? Or is 16' sufficient as proposed.

Thanks,

Travis Kroger
Associate Planner
Planning Services Division
Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533
Tel: 707 784 3173



From: Paul Dahlen <paul.dahlen@vfpd.net>

Sent: Friday, January 12, 2024 2:43 PM

To: Richardson, Marianne <MRichardson@SolanoCounty.com>

Subject: RE: Project Notification and Request for Review - please respond by January 24, 2024

Hello Marianne,

This is the attached commentary for Project MU-23-08 for Vickrey Lane. This is the 2nd commentary I have made on this subject. I had received the original package some weeks ago, sent out requests for more information, reviewed that requested information, and was satisfied with the response.

This Minor Use Permit #MU-23-08 is approved for fire protection needs by the Vacaville FPD.

Please let me know if you have any questions.

Paul Dahlen

Fire Prevention Captain
Vacaville Fire Protection District
420 Vine Street
Vacaville, CA 95688
☎ (707) 447-2252 x18
📠 (707) 447-2769
Cell: (530) 520-3721
Email: paul.dahlen@vfpd.net
Website: www.vfpd.net

From: Richardson, Marianne <MRichardson@SolanoCounty.com>

Sent: Wednesday, January 10, 2024 1:01 PM

To: King, Ed J. <EJKing@SolanoCounty.com>; Paul Dahlen <paul.dahlen@vfpd.net>; Shilo Moore <shilo.moore@vfpd.net>; Chris.rose@solanorcd.org; rsanford@scwa2.com; Mike.wink@fire.ca.gov

Cc: Kroger, Travis J. <TJKroger@SolanoCounty.com>

Subject: Project Notification and Request for Review - please respond by January 24, 2024

Good Afternoon,

Please see the attached **Project Notification & Response** document requesting review of revised information and response to comments submitted for **Minor Use Permit** application **MU-23-08** to establish an Agricultural Education Facility, Special Events Venue (Small), Roadside Stand, and Agricultural Processing Facility at 3695 Vickrey Lane.

Please review the application materials, and complete and return the Review & Response form to TJKroger@solanocounty.com by **January 24, 2024**.

Thank you,

Marianne Richardson

Administrative Secretary

Solano County Department of Resource Management

675 Texas Street, Suite 5500

Fairfield, CA 94533

D: (707) 784-3175

T: (707) 784-6765



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DESMOND, NOLAN, LIVAICH & CUNNINGHAM
ATTORNEYS AT LAW

June 18, 2025

Via Email

Solano County Department of Resource Management
Office of the Zoning Administrator
675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
Planning@solanocounty.com

**Re: Opposition to Minor Use Permit Application MU-23-08 Under Consideration at the
Public Hearing on June 19, 2025**

To Whom it May Concern--

I am again writing on behalf of concerned property owners along Vickrey Lane and surrounding areas that are opposed to any approval of Michael and Ronda Petrillo's ("Petrillos") Minor Use Permit ("MUP") Application to establish a Special Events Facility at 3695 Vickrey Lane, Winters, CA 95694.

The Petrillos' MUP Application was initially set for hearing before the Zoning Administrator on November 7, 2024. Multiple public comments opposing the MUP Application were submitted prior to and at the November hearing. Ultimately, the Petrillos' application was continued, indefinitely, to allow for a change to the Solano County Code that would obviate the need for a private road maintenance agreement. Once this change occurred, a new hearing on the Petrillos' MUP Application was scheduled for June 5, 2025. Again, multiple public comments in opposition to the application were received prior to and at the hearing. In response thereto, the acting Zoning Administrator again continued the hearing on the MUP Application to June 19, 2025, to give Staff time to review/address the different comments received. Now, in anticipation of the upcoming hearing and for the record, we are resubmitting a few of the comments submitted previously.

Attached hereto as **Exhibit A** is a true and correct copy of an opposition letter dated November 5, 2024, that was drafted and signed by residents of Vickrey Lane and the surrounding areas. This letter addresses many of the concerns that the Petrillos' neighbors have with the Petrillos' proposed use of the property.

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William C. Livaich
(1950-2007)

June 18, 2025

Page 2

Attached hereto as **Exhibit B** is a true and correct copy of the letter drafted by our office on behalf of certain concerned residents of Vickrey Lane and the surrounding areas dated November 6, 2024. This letter focused on the old version of the Code that required a Recorded Road Maintenance Agreement when access is provided by private roads, but also included discussion regarding the Petrillos' false claim that their neighbors support the MUP Application and the issues that would arise if a road maintenance agreement were not required—both of which are still relevant here.

Attached hereto as **Exhibit C** is the most recent letter drafted by our office on on behalf of certain concerned residents of Vickrey Lane and the surrounding areas dated June 4, 2025. Included with this letter are several signature pages indicating widespread opposition to the MUP Application. In this letter, the focus was on the County's updated Code which states that all land uses **shall** comply with the Solano County Road Improvement Standards and Land Development Requirements. Vickrey Lane cannot support a Special Events Facility under the Code and the Petrillos do not have the right to improve Vickrey Lane such that it would without the consent/cooperation of the other owners along it. Approving the Petrillos' application without addressing these concerns would constitute arbitrary government action subjecting the residents of Vickrey Lane and the surrounding areas to enhanced fire risks in what is already classified by the State as a **very high fire hazard severity zone**.

We would also like to take this opportunity to again stress that Vickrey Lane cannot support the Petrillos' proposed use without significant improvements—improvements required under both the County Code and State law that the Petrillos do not have a unilateral right to construct. All the concerns that have been raised in opposition to the MUP Application are both real and significant and must be given due consideration. Based on the foregoing and the Exhibits attached hereto, the Petrillos' MUP Application must be denied, or, at a minimum, continued until such time that the owners along Vickrey Lane can agree upon and execute a recorded road maintenance agreement sufficient to address the neighbors' concerns and County requirements.

Very truly yours,

DESMOND, NOLAN, LIVAICH & CUNNINGHAM



James Silverthorn

To whom it may concern,

11/5/24

Re: Application MU-23-08

We, the long-standing property owners along Vickrey Lane, wish to express our concerns and opposition to the proposed development project in our area. For decades, we have enjoyed the peaceful, rural nature of Vickrey Lane, which has allowed us to maintain a quiet, private lifestyle in harmony with the natural surroundings. The proposed development, however, threatens to dramatically and adversely alter the longstanding character and tranquility of our community.

The project is expected to bring a substantial increase in traffic—potentially more than 1,000 additional vehicles per year—disrupting the peace, quiet, and solitude that define Vickrey Lane. This influx would not only disturb the character of our neighborhood but also introduce significant inconvenience and safety risks to residents and visitors alike.

Community Opposition

All residents of Vickrey Lane, with the sole exception of the applicants, the Petrillos, are united in opposing this project. Numerous residents from surrounding areas also share our concerns and have signed this letter to voice their opposition. Contrary to the application's claim that most neighbors support this project, our community stands firmly against it. The assertion of neighbor support is misleading and should be addressed as an attempt to sway approval under false pretenses.

Impact on Domestic Animals

The increase in noise and traffic will disrupt not only the lives of residents but also the wellbeing of our animals. Several of us, including the Flahertys, keep horses on our properties, which are sensitive to sudden changes in their environment. Horses, as well as other domestic and wild animals, could experience stress or harm from the heightened noise and activity levels associated with this project. This impact on our animals should not be overlooked, as it significantly affects the rural lifestyle we have worked on to preserve.

Noise Pollution

We anticipate a marked increase in noise pollution if this development is approved. The area's topography allows sound to carry easily, which could lead to amplified disruptions for nearby properties, especially given the prospect of events involving loud music. Our community has a long tradition of mutual respect, with residents choosing activities that maintain the area's peace. Unfortunately, recent instances of dog training activities held by the Petrillos have already introduced unwanted noise, causing distress to several neighbors. Expanding their property use to an event facility would only escalate these disruptions.

Environmental Concerns

The proposed development is likely to disturb the abundant wildlife that inhabits the surrounding hills, lake, and creeks. While an environmental review has deemed the project non-impactful, we believe this assessment does not fully account for the nuanced effects increased human activity, vehicle emissions, and noise will have on local ecosystems. With ongoing recovery from recent wildfires, our environment is in a fragile state. The introduction of an event facility could hinder its natural recovery and further strain wildlife attempting to return to the area.

The proximity to the creek bed increases our concern for potential spill off pollution from both the event attendees and their vehicles that will no doubt leave an ecological footprint on the land they will be driving and parking on.

Traffic and Road Impact

Increased traffic will undeniably alter the atmosphere and safety of Vickrey Lane. To accommodate frequent events, commercial signage, equipment trucks, and regular visitor traffic would be required. This intrusion will fundamentally change the character of our quiet, secluded neighborhood, creating a new draw for sightseers and potential clients for the facility. Moreover, events are not confined to single-day activities; setup, rehearsals, and takedowns will add further congestion. This road was designed to service the needs of the surrounding property owners for practical daily use purposes that lean more towards basic residential road use needs, it is simply not designed to support heavy commercial weight event trucks nor is it suitable to support potentially thousands of additional vehicles annually driving between the properties.

The impact on Vickrey Lane itself is also of concern. This rural road has been maintained by residents through community efforts, and the proposed increase in traffic would impose additional wear and tear. The road, although bumpy, has consistently served our needs, including allowing safe passage for emergency vehicles. The strain from increased traffic could compromise this safety and lead to costly repairs for residents.

In addition, the Petrillos in past attempts to acquire a Minor use permit failed to acquire the necessary Private Road Maintenance Agreement from the surrounding property owners on the road in question. To my knowledge, none of the property owners have changed their position on cooperating with the Petrillos as it pertains to the private road maintenance agreement.

Lack of Event Management Experience :

As long-term residents of Vickrey Lane, we have observed multiple attempts by the Petrillos to pursue commercial activities on their property, often at the expense of the surrounding environment and the peace of our small community. These past efforts have not only disrupted the neighborhood but also raise serious concerns about the Petrillos' capability to manage a large-scale event facility responsibly and in compliance with local regulations.

In previous years, the Petrillos operated a horse boarding and training facility on their property. This venture was ultimately shut down by authorities due to incidents of animal neglect, as reported by multiple community members. More recently, the Petrillos have hosted Saturday morning dog training sessions that have been a consistent source of noise disturbance. Neighbors have raised concerns over the dogs' incessant barking, which has affected the neighborhood's tranquility, particularly during weekends when families are spending time together. These examples indicate a recurring pattern of projects that disrupt the area's peaceful environment and strain relations with surrounding neighbors.

Given this history, we have significant concerns about the Petrillos' lack of experience in managing events and their ability to operate a commercial event facility in accordance with industry standards, safety protocols, and legal requirements. Hosting events with over 100 attendees requires a high level of planning, adherence to health and safety standards, and a commitment to minimize impacts on the surrounding community. Key issues include:

- **Attendee and Resident Safety:** Managing large gatherings necessitates experience in crowd control, emergency preparedness, and ensuring safe ingress and egress for attendees and residents alike. Given the rural nature of Vickrey Lane, proper planning for emergency vehicle access is essential.

- **Noise Ordinance Compliance:** Consistent noise disturbances are a major concern for all residents, and compliance with local noise regulations will be essential to prevent further disruptions to our peaceful neighborhood.
- **Waste Management and Sanitation:** The scale of events proposed will require diligent management of waste disposal and proper maintenance of sanitation facilities to ensure environmental health standards are met.
- **Environmental Considerations:** The proposed increase in activity may impact wildlife and natural habitats surrounding the area, as well as the quality of life for residents. Measures to mitigate these impacts would need to be planned and implemented effectively.

In light of these considerations, we respectfully urge the County Hearing Board to assess whether the Petrillos possess the necessary qualifications and experience to manage a large-scale event facility. Without a demonstrated capacity for responsible management, we are concerned that this development may lead to negative consequences for the residents, animals, and environment of Vickrey Lane.

We respectfully urge the County Hearing Board to consider the serious impact this project would have on the Vickrey Lane community, its residents, and its wildlife. Approving this development would disrupt our way of life, undermine the natural beauty of the area, and strain the infrastructure we have worked to maintain.

This letter is signed by the undersigned residents and community members who oppose the project:

- Diane Flaherty – 3700 Vickrey Lane

- Jim ^{HAWLEY} ~~Flaherty~~ – 3685 Vickrey Lane

- Ernie Carrion – 3656 Vickrey Lane

- Michael Sears – 8600 Pleasants Valley Rd

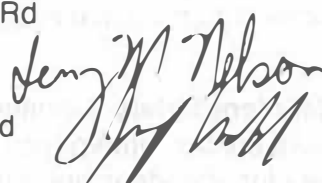

- Jerry Nelson – 8505 Pleasant Valley Rd

- Jeremy Murdoch – 3680 Putah Creek Rd

- Dave Psilas – 3700 Putah Creek Rd

- Greg Ferguson – 3736 Putah Creek Rd

 11-5-24

 11/5/2024 1454
 11/5/2024

 11-5-2024

EXHIBIT B

DESMOND, NOLAN, LIVAICH & CUNNINGHAM
ATTORNEYS AT LAW

November 6, 2024

Via Email

Solano County Department of Resource Management
Office of the Zoning Administrator
675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
Planning@solanocounty.com

**Re: Opposition to Minor Use Permit Application MU-23-08 Under Consideration at the
Public Hearing on November 7, 2024**

To Whom it May Concern--

I am writing on behalf of the concerned property owners along Vickrey Lane that are vehemently opposed to an approval of Michael and Ronda Petrillo's ("Petrillos") Minor Use Permit ("MUP") Application to establish a Special Events Facility at 3695 Vickrey Lane, Winters, CA 95694.

In addition to the concerns raised by the property owners, there are requirements within the Solano County Code that the Petrillos have failed to satisfy precluding approval of their MUP. Section 28.73.30(A)(2) clearly and explicitly states:

If access is from a private road, there shall be a recorded road maintenance agreement in effect for all properties served by the private road.

The Staff Report submitted for the MUP at issue found that (1) Vickrey Lane is a private road, and (2) no recorded road maintenance agreement exists here. Instead, Staff recommends approval based on the willingness of the Petrillos to "agree[] to a condition of approval requiring repair of any excess wear to [] Vickrey Lane resulting from the operations of the special events facility" and based on the Petrillos' statement that most of the property owners are in support of the project. This recommendation by Staff is fatally deficient for a number of reasons.

First and foremost, Section 28.73.30(A)(2) is clear and contains no written exceptions. The language promulgated by the County is both mandatory and unambiguous—"there **shall** be a recorded road maintenance agreement in effect for all properties served by the private road." The Zoning Administrator does not have the authority to create exceptions where the language of the

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(1895-1958)
E. Vayne Miller
(1904-1965)
Richard F. Desmond
(1923-2004)
William C. Livaich
(1950-2007)

November 6, 2024

Page 2

Code is unambiguous. To the extent that the Zoning Administrator finds an exception appropriate, it would have to submit a recommendation to the County Board of Supervisors to amend the Code. Unless and until the Code is amended through the legislative process, all public assembly uses must comply with the standards currently set forth in the Code and those standards require a recorded road maintenance agreement. No such agreement exists here and therefore, the MUP cannot be approved.

Second, contrary to the representations made by the Petrillos, most, if not all, of the property owners do **not** support the project. This was a patently false statement made by the Petrillos to Staff which, notwithstanding the lack of a recorded road maintenance agreement, would serve as a strong basis for denying the MUP in and of itself.

Third, the purpose behind requiring a recorded road maintenance agreement would not be served by the recommended "condition of approval requiring repair of any excess wear to the Vickery Lane resulting from the operations of the special events facility." What constitutes "excess wear"? How would the costs to maintain and repair the road be allocated amongst the owners? What types of damage would "result[] from the operations of the special events facility"? These are just some of the concerns that would otherwise be negotiated and delineated within a written agreement, making the rights and liabilities of the owners along the private road both clear and enforceable. The recommended condition of approval, on the other hand, contains inherent ambiguities that would make the condition difficult to enforce and invite litigation. The Zoning Administrator should not create ambiguities where the language of the Code is so clear.

Ultimately, irrespective of all of the other concerns and issues raised by the property owners at the hearing, the MUP must be denied because the Petrillos failed to secure a recorded road maintenance agreement as specifically required under Solano County Code Section 28.73.30(A)(2).

Very truly yours,

DESMOND, NOLAN, LIVAICH & CUNNINGHAM



James Silverthorn

EXHIBIT C

June 4, 2025

Via Email

Solano County Department of Resource Management
Office of the Zoning Administrator
675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
Planning@solanocounty.com

Re: Opposition to Minor Use Permit Application MU-23-08 Under Consideration at the Public Hearing on June 5, 2025

To Whom it May Concern--

I am again writing on behalf of the concerned property owners along Vickrey Lane that are opposed to any approval of Michael and Ronda Petrillo's ("Petrillos") Minor Use Permit ("MUP") Application to establish a Special Events Facility at 3695 Vickrey Lane, Winters, CA 95694. The hearing scheduled for June 5, 2025, is a continuation of the hearing that took place on November 7, 2024, and comes in response to Ordinance No. 2025-1861 adopted 4/22/2025 and effective as of 5/23/2025 ("Ordinance 1861").

At the first hearing, the Petrillos' application could not move forward because Solano County Code ("Code") Section 28.73.30(A)(2) stated:

If access is from a private road, there shall be a recorded road maintenance agreement in effect for all properties served by the private road.

There was no dispute that (1) Vickrey Lane is a private road, and (2) there is no recorded road maintenance agreement in effect for the properties that border and use Vickrey Lane. This section of the Code was both mandatory and unambiguous. Based thereon, the Petrillos' application was suspended indefinitely in anticipation of a "planned" change to the Code that would subvert the protections provided by the road maintenance agreement requirement. This change came in the form of Ordinance 1861.

Ordinance 1861 changed the landscape to give the decisionmakers discretion on whether to require a road maintenance agreement as a condition of approval. The Solano County Road Improvement Standards and Land Development Requirements (“County Standards”) changed the recorded road maintenance agreement requirement for private roads to the following:

For applications of development (new or changes to) on existing parcels where primary access is provided through a Private Road shared by other parcels, the applicant shall be conditioned to pay its fair share of the Private Road maintenance costs in proportion to the additional use made under the application as defined by California Civil Code 845, as amended from time to time.

The Director of Resource Management may waive this standard if one of the following conditions apply:

- a. An existing recorded Private Road Maintenance agreement over the Private Road in question exists
- b. *Circumstances of the application require that the Director condition the application to execute a Private Road Maintenance Agreement with all parcel owners.* The Maintenance Agreement shall be submitted to the Director for review and approval prior to recording.

The new section purports to bring the Code section into compliance with Civil Code § 845 and allows the Director to require a private road maintenance agreement where “circumstances of the application” still require one. However, said “circumstances” are not defined and no precedent has been set leaving such determinations to the sole discretion of the Director.

Here, Vickrey Lane is a dead-end road that provides access to only a few properties. Attached hereto as **Exhibit A** are pictures of Vickrey Lane that should help with addressing the concerns raised by the opponents to the MU-23-08. As you can see, to reach the Petrillos’ property at the end of the road (circled in red), one must traverse over and past all of their neighbors (circled in blue)—neighbors which have, at both the earlier hearing and now, expressed concerns and opposition to the Petrillos’ proposed use and MUP application. Moreover, the MUP application states that “[t]he proposed facility will meet all standards listed in Section 28.72.10” of the Code. With respect to roads and driveways—public or private—section 28.70.10(B)(6) requires that “[a]ll land uses **shall** comply with the [County Standards].” County Standards require:

For projects serving one to four parcels, the road (also called a driveway) shall be built as required by the provisions of the California Fire Code Section 902 - Fire Department Access (including Appendix III-D), or Public Resources Code Section 4290 - Fire Safe Regulations, whichever applies. The road shall be constructed of

0.67 feet of compacted Class 2 aggregate base. The width of the road shall be 20 feet, with 60 foot long by 8-foot-wide turnouts every 300 feet (for roads over 300 feet long), plus 4-foot graded shoulders, and shall also have an unobstructed width of 28 feet.

Vickrey Lane was first constructed shortly after the final map for the Vickrey Subdivision was adopted by and recorded with the County in 1981. It is a private roadway and utilities easement serving only a few owners that have maintained it since its initial construction. Vickrey Lane is not currently in violation of either the Code or California state fire safety regulations. That being said, Vickrey Lane, as originally constructed with the intent that it serve as a private roadway and utilities corridor, was not designed to support access by emergency wildfire equipment and evacuation by citizens concurrently. Now, however, the Petrillos' MUP application and proposed use would bring Vickrey Lane within the purview of the County's and the State's updated standards and the requirements contained therein. Therefore, prior to approving any land use permit application along Vickrey Lane, it would have to be brought up to the applicable standards which are absolutely necessary for safety, among other things, especially when considering the applicants' proposed use of their property as a special events center.

Surely, only the applicant would be responsible for the costs of improving Vickrey Lane. In California, "nonconsenting coowners of an easement in the nature of a right-of-way may be compelled to contribute to the keeping of the way in *repair* [see Civil Code § 845], but they may not, without their consent, be compelled to contribute to the cost of major improvements." (*McManus v. Sequoyah Land Associates* (1966) 240 Cal.App.2d 348, 355.) Expanding and improving Vickrey Lane, as required for the MUP here, would not constitute repair for which the other owners would be responsible. (See, e.g., *Holland v. Braun* (1956) 139 Cal.App.2d 626.)

Irrespective of the costs, the neighbors of Vickrey Lane contest the Petrillos' right to make substantial improvements to Vickrey Lane at all. Under California law, the Petrillos do not have the right to make the required and substantial improvements to Vickrey Lane that would be necessary for the approval of their MUP application. As constructed, and as it has existed for nearly the past 50 years, Vickrey Lane is only roughly 16 feet wide with only a very insignificant portion of the "cul-de-sac" located on the Petrillos' property. The vast majority of the existing road and the private roadway easement is located on the other neighboring properties. While it is recognized that the "owner of a dominant estate may do that which is reasonably necessary to enjoy the easement and, as an incident thereto keep it in repair and fit for use," it is just as well-recognized that an "easement may not be substantially altered without the consent of the owner of the servient estate." (See *Scruby v. Vintage Grapevine, Inc.* (1995) 37 Cal.App.4th 697, 707 [internal citations omitted].) Vickrey Lane was created as a private roadway to serve the Vickrey Subdivision and provide an avenue for utilities thereto—it was not designed nor intended to support events hosting

up to 150 people. Expansion of the roadway for that purpose threatens to overburden the easement, would require the relocation of the utilities located therein, and would ultimately constitute a substantial alteration that is subject to the consent of the other owners located along Vickrey Lane.

It is also important that we reiterate and stress the fact that Vickery Lane and the surrounding properties are located in a rural area classified and designated as part of a **very high fire hazard severity zone**. Allowing the Petrillos to introduce special events with up to 150 people into this area significantly increases the risk of fire, the costs of which would be disproportionately borne by the residents of Vickrey Lane and other surrounding property owners. Unlike the event attendees, the surrounding property owners would be working against time to evacuate not only themselves but also, to the extent possible, their animals and personal belongings. While the residents of Vickrey Lane and surrounding areas scramble to collect their things, the only means of evacuation—namely, Vickrey Lane and Pleasants Valley Road—would already be congested by the fleeing event attendees. Additionally, it should be noted that while Vickery Lane is located in a State Responsibility Area, it is primarily served by the Vacaville Fire Protection District which relies on volunteers and is both understaffed and underfunded as relating to both fire and safety response. In times when fires have resulted in significant loss of life and property damage, we ask that the County take these concerns seriously and into consideration when making any land use decision including the one at hand.

As discussed herein and in the other letters/comments submitted in opposition of the MUP, MU-23-08 should and must be denied or, at a minimum, conditioned on all owners along Vickery Lane entering into a bargained-for road maintenance agreement sufficient to address the concerns outlined above.

Very truly yours,

DESMOND, NOLAN, LIVAICH & CUNNINGHAM

A handwritten signature in black ink, appearing to read 'James Silverthorn', with a long horizontal line extending to the right.

James Silverthorn

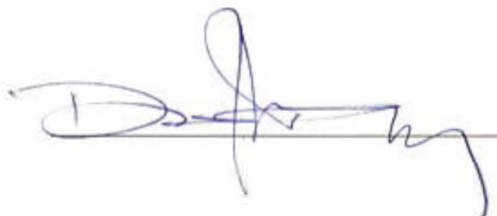
Enclosures

June 4, 2025

Page 5

Signatures of the Residents of Vickrey Lane and Surrounding Properties Joining in the Submission of this Letter in Opposition to MU-23-08:

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3700 Vickrey Ln.
Winters, CA 95694
Name: JERRY NELSON, Kathy Nelson
Address: 8505 PLEASANTS VLY RD
WINTERS, CA



DAVID BAIHA
3700 PUTAH CREEK RD
95694 WINTERS CA




Jeremy Muduck
3680 Bulah Creek Rd.
Winters, CA 95694

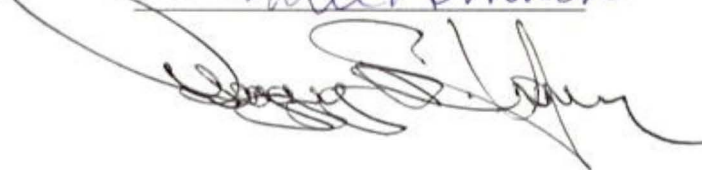


Revallee Hemken
3876 Putah Ridge Trl
Winters CA 95694

Revallee Hemken
3866 Pleasant Valley Rd
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Peggy S. Honer
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Revallee Hemken


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DAVID PHONER SR
3794 PUTAH CR RD
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DAVID PHONER JR
3794 PUTAH CR RD
WINTERS CA 95694

Signatures of the Residents of Vickrey Lane and Surrounding Properties Joining in the
Submission of this Letter in Opposition to MU-23-08:

Name:

Address:

6-6-2025

8140 Olive School Lane

Sharon Spier

June 4, 2025

Page 5

Signatures of the Residents of Vickrey Lane and Surrounding Properties Joining in the
Submission of this Letter in Opposition to MU-23-08:



Name: PAT SHURNAS

Address: 8466 PLEASANTS VALLEY RD, WINTERS, CA 95694



Name: DEBBIE SHURNAS



Name: DAVID A. WAST

8555 Pleasants Valley Road, Winters, CA 95694



Name: JEFF JANAKA