

Polly R. Eggert
7661 Brush n Rocks Lane
Cool, CA 95614

July 15, 2025

ATTN: El Dorado County Planning Commission, Agricultural Commission, Board of Directors
RE: CUP22-0013/Black Oak Mountain Vineyards (BOMV)

Please consider my input as a homeowner/farmer adjacent to the BOMV property—we share a 10-acre fence line.

I have lived here for 10 years. Before that I lived in Shingle Springs. I have been a resident of El Dorado County for 17 years. Like many, I specifically moved to Cool for the quiet, very small town country and exceptional horse and trails community that it is known for. Most of the people know each other and help each other if need be. “The Divide” is a somewhat remote and unique and special part of El Dorado County. I hope the Commissioners from other areas will consider this and check out the area for themselves.

In contrast, please consider who is applying for this CUP permit—a person from the Bay Area who owns a number of properties which appear to be for the purpose of profit. He has never actually “lived” in Cool yet enjoys the \$7000 Homeowner Exemption on his Property Tax bill. In addition, he has never personally spoken to any of the neighbors that I know. He had a grand opening party for his so-called Winery some years ago and didn’t even invite the neighbors! The only time BOMV has reached out to the “ncighbors” –which is how they address us (although they know our names), is when they realized we were formally objecting to their expansion last December. Since then, I have heard from them only twice and it was never from the owner, only a representative. In fact, not long after he purchased the property, which I believe was in 2018, he started having events. This alone tells you that it is for personal financial gain NOT for agricultural reasons. They have already set up roads and parking lots etc. in preparation for events before they were even allowed to have them. This indicates what their real intentions for the property are—and it’s obviously not for agriculture.

My objections to the issuance of this CUP are as follows:

1. FIRE RISK!! – The proposed expansion of events would increase the number of people allowed on the site to almost 25,000 people! That means that many more chances of a fire starting! More often than not, people attending will be drinking alcohol causing more carelessness in watching out for where the flame or ash from whatever they are smoking or vaping is landing. Can you imagine living next to this worrisome place? There are requirements specifically noted in the Required Findings part of the Planning Staff Report for the July 24th meeting. See Sections 2.5 – 2.10. Have any of these been met? Is the Cool

Fire Department aware of this proposed increase in fire danger? Are they aware of the events that already have been occurring and continue to occur? I can't imagine they have the staff to respond and get 150 people out of that place with a long driveway onto a narrow 2-lane country road where the people who live in Cool need to be able to access too. Please consider everyone who lives here has animals too.

2. **EXCESSIVE NUMBER OF PEOPLE FROM OUT OF THE AREA** – Most of the people coming will be from elsewhere, including other countries. These people do not know or care about what our little area is about. Specifically high fire risk, respect for wildlife and the many domestic animals everywhere around here. Litter—Many countries and some states do not have litter laws. I periodically find trash, especially balloons that have floated or blown over or near the fence line of my property. It freaks my animals out when mylar balloons are stuck in a tree blowing around! These people are not here to frequent our businesses which “helps our community” as BOMV might claim. They come for the party often by bus from Auburn area and leave without regard for our community whatsoever. Traffic—We certainly don't need more traffic coming through the canyon and on our small roads. This includes the busloads BOMV is sending in for events. The more people, the more chance for trouble. This is not fair to the few people who actually live around here.
3. **NOISE AND LACK OF PRIVACY**—I was pretty tolerant about the events until last year when I noticed there were getting to be more and more and noisier too. It has gotten out of hand. My property is just on the other side of the hill of the big fancy house where the ceremonies as well some other events are held. At the house, they use a microphone and it is not regulated. It appears that BOMV thinks only the reception area down the hill toward the road a bit is the only area that needs to be regulated. I hear the ceremonies being conducted, the announcements, and the cheers and hoopla of the guests. Last week they had drum rolls and guitar accompaniment during the ceremony. I can often hear pounding of the base coming from the reception area at night when they are partying. The receptions are good about stopping at 10 as the rules dictate. But sometimes people move back up the hill to the house and carry on afterward. It's quite disturbing to my quiet country life and disturbing to my animals. I have called Code Enforcement before but they don't do anything except take notes. What is the “Enforcement” part of that title?

On Page 4, Noise Section, the Planning Staff Report states that “the assessment did not analyze amplified sound at either of the ceremony sites.” As I stated above, the ceremonies are exactly what I hear loud and clear! By the way, BOMV conducted a so-called sound study recently where they put their equipment up against my side of the hill and much further than 100 feet from my house. I don't know how that would yield a fair and legal assessment of how sound affects me and my property. Please see the attached copy of an email chain labeled as BOMV Boeger-McCarty email.

BOMV's Project Description says they will self-monitor the noise. Really? Do you believe this? Are they going to have someone at every event telling people to be quiet when it gets to a certain decibel point? They certainly haven't so far.

In addition, sometimes people decide to wander to the other side of the hill or walk down the dirt road BOMV put in that runs along our fence line about 50 ft (guessing) away from my property.

All this is not why I live in the country and is an invasion of my privacy!

4. LACK OF INTEGRITY, TRANSPARENCY AND RESPONSIBILITY—Aside from the fact that as a formality, their Application for a CUP must be considered, I find it ludicrous that any representative of El Dorado County would even consider allowing BOMV to have a CUP or any permit whatsoever due their blatant disrespect for following regulations already! To say the least, they have been dishonest in just about everything they do. For example, one representative for BOMV, Lexi Boeger, a hired “Working Lands Advocate”, is the daughter of the Head of the Agricultural Commission and a former Planning Commissioner. Both these Commissions have a say in whether the CUP will be issued. Isn’t this a conflict of interest?

Their request to have up to 150 people per event doesn’t make sense either when the reception area legally allows up to 99 people. Where do the other 51 people go? Do you think they are not outside doing whatever and making noise?

Consider the fact that they have not followed the regulations for the Ranch Marketing Permit. They have so blatantly defied those ordinances that they finally got their permit revoked. Yet they continue to operate their commercial event center as if there’s nothing wrong. Each year they have over the number of events they are allowed and as of the date of the July 24th meeting they will have already had 30 events this year that we know of! Not all are on the Event Data site. This is already almost twice as much as they are allowed with a permit and we are only halfway through the year and they don’t even have a permit!!! Why is this being allowed to go on?! What makes you think they will honor the CUP permit with a record like this? So perhaps they get fined \$1000 per violation (which should occur for every event!). It doesn’t matter to them when they make perhaps approximately \$40,000 per event—it is just a business expense to them. Obviously, they are having as many events as they can as fast as they can to make a lot of money even though they are not currently allowed to have any! They are already operating as if they have a CUP!

According to both the Ranch Marketing Permit (which was revoked because they keep breaking the rules) and the CUP, the main purpose of the “Winery” “shall be to process fruit grown on the winery lot” (at least 5 acres) (See Sections 3.3. and 3.5 of the Required Findings). I implore the Planning Commission and Agricultural Commission to send out an objective (not Boeger!) professional vintner to check out their vines asap and assess just how much of their vines are actually viable and productive. From what I can see right now, they do not look like they meet the Requirements.

Also in the Required Findings: Section 2.3, “requires projects ... be located and designed in a manner that avoids incompatibility with adjoining land uses.” And Sections 2.15 & 2.16, “Will not intensify existing conflicts or add new conflicts between adjacent residential areas,”

"Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands," "The use is compatible with and will not have a significant adverse impact on adjacent or nearby neighborhoods...". All these requirements and more are absolutely impossible for them to meet if they are allowed to proceed with what they want. In fact, as many neighbors have already brought forth, that the activity at BOMV is already very impactful to us and our animals.

In a ridiculous letter from an attorney representing BOMV they try to claim that by having 165 events per year with 150 people "it would not increase the intensity of use" and "not potentially result in significant environmental impacts."—per a skewed interpretation of the "Common Sense Exemption". Please! Where is the common sense in this? How could it NOT impact the environment?! Please remember, neighbors are part of the environment!


Even their website is dishonest. It states "Not a tourist or structure in sight." As if the neighboring properties with homes and people that are actually very visible don't matter and are disregarded. Please visit the website. It says almost nothing about wine which is supposed to be their main business according to any permit they might hold. It's so obvious what they are really about on their website. And it's not about our little "Cool" community at all. It's all about luxury and fun and showing off! Also online, a representative of BOMV has posted derogatory comments about "the neighbors" on their Facebook page. As far as I know, no neighbor has ever posted anything negative about them. This is the kind of people we are dealing with! Any attempt they have made to show care for the neighbors is an absolute farce and for the purpose of just saying they tried. Their actions prove otherwise. Isn't it incredibly arrogant for them to try to have 165 events per year when they have never even followed the rules?

Please ask yourselves, would you want to live next to this?

I could live with the currently allowed 12-14 events if the rules are strictly enforced. The problem is that no one enforces them! I am always concerned about the safety of our neighborhood with so many strangers coming in and out of the area—specifically right next door to me! I don't think they are thinking about fire safety or the neighbors when they are partying. Do you?

Knowing their history and character (or lack of) makes it incumbent on you, the decision makers, to make a fair and thoughtful decision on how granting this CUP will affect the neighbors and the neighborhood and the potential negative impact it could have if you do grant it. You are responsible for it knowing that they continue to engage in illegal and negligent operations. El Dorado County will have to answer to why you have allowed it.

With Sincere Thanks for Your Consideration,


Polly Eggert

Re: Informational meeting re: Black Oak CUP proposal

From: Polly Eggert (pollyeggert@yahoo.com)

To: Idmarenco@yahoo.com; mommarnels70@gmail.com; sharon70@att.net; jeffry1@pacbell.net;
lexiboeger@gmail.com

Cc: kevinwmccarty@pm.me

Date: Friday, June 13, 2025 at 04:51 PM PDT

This is "Neighbor" Polly Eggert,

Please see my response to Mr. McCarty's email requesting access to my property to take a sound/ noise reading below.

For this email I would like to add that I find it interesting that you, Lexi Boeger, are helping Black Oak Winery out when your father is on the Agricultural Board that has a say in the CUP. Isn't that a conflict of interest? You and he both know that BOW is WAY OUT of compliance in just about everything yet you want to help them when they have shown absolutely no respect for the County rules and regulations and continue to blatantly operate against them?

Why is this being allowed? I am aware of the Boeger family influence in the county and respect you as business people as it pertains to your Boeger Winery. But it is wrong to use your influence to help an out-of-compliance and rude business owner to continue to be so. You are obviously encouraging BOW to continue their illegal actions. I also find it odd that you are helping them have events when your own Boeger Winery doesn't even have events. Why don't you and BOW go in on your events at Boeger Winery? That area is already zoned and being used for such events. Cool is not that kind of place and the people who live here live here because we want to be away from such "events." Why can't BOW be happy with their 12-16 allowed events per year like others? And why don't they pursue their wine-making as much as they pursue having hundreds of events? It's because they are greedy and could care less about Cool and "the neighbors"--obviously! I'm sure you already know many of the neighbors' concerns so please consider them. Regrettably, it is looking more and more like legal action might have to be taken.

Hello,

I apologize for taking so long to reply. I do not have time to read email very often. As far as coming onto my property to measure sound I refer you to the El Dorado County Code Enforcement who seems to take noise readings fairly regularly. You can get that information from them. I do not know who you are and I suspect you were hired by Black Oak Winery (BOW) (not really a winery but really an event center). I seriously doubt there would be an objective outcome if you are working for them and they choose which event and the time of the readings. Furthermore, it is an absolute joke to imply that BOW would want to be compliant with anything OR respectful of neighbor's quality of life when they are out of compliance by even

having any events since their permit to do so has been pulled yet they continue to have more events than they are even allowed with a permit! So what's the point? There should be NO NOISE over there at all because they should NOT be having ANY events. They have NEVER cared about the neighbors. They have NEVER tried to talk to any of us personally and ignore us and try to get someone else to speak for them when they feel they should acknowledge us to make themselves not look so bad. They did not even invite the neighbors when they had their "grand opening!" How respectful is that?

As they know, but do not address me by name, yet call me "neighbor", Sincerely,

Polly Eggert

On Tuesday, May 27, 2025 at 03:05:18 PM PDT, Lexi Boeger <lexiboeger@gmail.com> wrote:

Hello neighbors of Black Oak Mountain Vineyards. This is Lexi Boeger and Kevin McCarty (cc'd here), we are working with BOMV on their Conditional Use Permit process and project development. Kevin specializes in compliance and the permitting process and I am a former Planning Commissioner, and Ag Business advisor. I am volunteering to help wineries and farms engage in the CUP path available now that the Ranch Marketing Ordinance has been changed.

To make sure projects are as compliant and responsive as possible to community impacts and preferences, and to give you all the opportunity to ask questions, get details and give feedback on the scope and nature of the future activities at BOMV, Kevin and I would like to invite you to meet and talk about the project.

The application is moving forward to the Planning Commission in July, and now would be a good opportunity to share information, discuss concerns and take suggestions.

The project has been changed in ways you may not be aware of, including voluntarily going from the allowable 12 outdoor amplified events down to 6. There are other mitigations to share, and we would appreciate your opinions.

We are happy to come out to your neck of the woods if that's easier or we could meet centrally or have a zoom.

Please let us know if you are interested,

Best,
Lexi

--
Lexi Boeger
Working Lands Advocacy

El Dorado County Planning Commission
2850 Fairlane Ct
Placerville, CA 95667

Re: CUP22-0013 (July 24, 2025 hearing Item 2)

Dear Planning Commission members,

As a former District 4 Planning Commissioner, I have followed CUP22-0013 (Item 2 on your July 24, 2025 agenda) through the planning process. I also participated in several hearings related to the winery and ranch marketing ordinances, which generated two significant rounds of revisions to the ordinances. Both the applicant's representatives and neighbors of the property participated in the most recent ranch marketing and winery ordinance amendment process, which concluded in December 2024. I was recently informed that the application would be presented to the Commission, so I wanted to provide my observations and perspective. These comments are entirely my own, and I have not been compensated to provide them.

After reviewing the staff report and attached materials, I believe the evidence is clear that CUP22-0013 must be denied. Further, the request for a CEQA exemption is baseless and granting the request would set a poor example for other projects in the County. I will explain the reasons for denial, as I see them, below:

- **This project does not meet the requirements for the issuance of a Conditional Use Permit.** To issue a Conditional Use Permit, the County must make three findings (Zoning Ordinance Sec. 130.52.021(C)). I will analyze each of the three findings individually:
 - The proposed use is consistent with the General Plan: As discussed in the Legistar materials, this property has a General Plan land use designation of Rural Residential (RR). Further, it is directly adjacent on both the north and south sides to property with a land use designation of Agricultural Lands (AL). The General Plan Land Use element describes the RR land use designation as follows:
This land use designation establishes areas for residential and agricultural development. These lands will typically have limited infrastructure and public services and will remain for the most part in their natural state. This category is appropriate for lands that are characterized by steeper topography, high fire hazards, and limited or substandard access as well as "choice" agricultural soils. The RR designation shall be used as a transition between LDR and the Natural Resource (NR) designation. Clustering of residential units under allowable densities is encouraged as a means of preserving large areas in their natural state or for agricultural production. Typical uses include single family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is one dwelling unit per 10 to 160 acres. This designation is considered appropriate only in the Rural Regions.
The RR land use designation is focused on agricultural activities as well as rural, minimal impact residences. An event center hosting 165 events per year is not consistent with this definition, as it creates a significant demand for public services which are limited in

rural regions (i.e., law enforcement response, traffic safety, etc.). Further, as discussed in greater detail below, your Agricultural Commission has opined that the CUP has the potential to increase conflicts between adjacent residential and agricultural activities.

Therefore, the proposed CUP is not consistent with the General Plan, and this finding cannot be made.

- The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood. I expect that you will hear a lot of testimony on this point from surrounding property owners, so I will not try to speak for them here. I will make two observations though:

1) The lived experience of neighbors has evidentiary value. Most likely, you will hear an argument from the applicant that the statements of surrounding property owners should be discounted because they are not technical experts. The Commission's role is not to evaluate the resumes of those providing comments, but to gain an accurate understanding of the proposed project's impact on the neighborhood. A neighbor who has lived through events hosted at the applicant's property has a valuable perspective of the actual conditions on the ground, even if they lack the skills or experience to express the impacts in technical terms.

2) The lack of a CEQA initial study, or related analysis, makes it impossible to make this finding. Typically, decision makers can consult the CEQA initial study for a CUP application to determine the potential impacts to the neighborhood and evaluate whether this finding can be made. By insisting on a CEQA exemption, the applicant is denying your Commission critical information needed to determine whether the project would be detrimental to the community.

There is evidence that the proposed use would be detrimental to the public health, safety and welfare, or injurious to the neighborhood, and therefore this finding cannot be made.

- The proposed use is specifically allowed by a conditional use permit pursuant to this Title. **This finding can be made** – special events more than the amount allowed by right are allowed under the winery ordinance with the issuance of a CUP.

Only one of the three required findings for the issuance of a CUP can be made. Therefore, the application must be denied.

- **The proposed CUP violates the Winery Ordinance:** As noted above, the Commission has held several hearings on the Winery Ordinance, and similar Ranch Marketing Ordinance, over the past two years. While stakeholders differed greatly on specific details of the proposed ordinance changes, most agreed that the objective of the ordinance and allowance for special events should be focused on allowing growers to create a supplemental revenue stream to help them withstand downturns in the market and/or poor production results. In other words, **the goal is to have wineries that happen to have some special events, not special event centers that happen to produce a little wine.** I do not recall a single member of the public suggesting that

the County should encourage the establishment of event centers to take the place of agricultural operations on rural lands.

The version of the Winery Ordinance that was in effect at the time this CUP application was deemed complete (attached to the Legistar Item as Attachment I) makes this clear. Section 130.40.400(E)(1)(a) of that ordinance states in part, “The primary purpose of the winery shall be to process fruit grown on the winery lot or on other local agricultural lands.” The applicant provides no evidence and proposes no conditions to ensure that processing fruit grown on the winery lot or on other local agricultural lands will remain the primary purpose of the facility. To the contrary, the request to host up to 165 events per year – one nearly every other day – strongly suggests that special events will become the primary purpose of the facility, with agricultural activity a secondary component.

Your Agricultural Commission reviewed this CUP application in December 2024 and unanimously found that the proposed CUP has the potential to increase conflicts between adjacent residential and agricultural activities. The Commission is comprised of well-respected El Dorado County agricultural industry leaders. They are both personally and professionally vested in the viability of El Dorado County agriculture. Their comments on this application are significant evidence that granting the CUP would not be beneficial to the County’s agricultural community.

- **The enforcement history of the property is a valid consideration.** As stated in the staff report, the facility was issued an agricultural administrative permit (AG25-0001) on February 28, 2025, to allow them to host the special events that the winery ordinance allows by right. Less than two weeks later, AG25-0001 was revoked due to the property receiving three substantiated violations.

The applicant will likely suggest that character should not be an issue in this proceeding, and I understand that they are contesting the validity of the permit revocation. Nevertheless, a series of repeated substantiated violations and complaints regarding a property is evidence that the property may not be a suitable location for regular special events. As discussed above, one of the required findings for a CUP is that the project would not be injurious to the neighborhood. **This property’s lengthy track record of substantiated violations is evidence that it would be injurious to the neighborhood.**

Further, the Planning Commission can and should consider whether the applicant intends to abide by the conditions included with the CUP. The staff report states that if the CUP is approved, only six special events per year would include outdoor amplified sound and that no event would have more than 150 persons in attendance. Yet a screenshot from the applicant’s website, obtained on July 19, 2025 and included at the end of this document, advertises multiple ceremony and reception location options on the property and lists capacities of up to 250 guests. A separate page on the applicant’s website accessed on the same date informs guests that, among other amenities, they can expect to “delight in a top-tier sound system, filling both the living area **and patio** with your favorite tunes.” There’s no indication that only six guests per year will be able to take advantage of what appears to be outdoor amplified sound on the patio. Presumably, the applicant is expecting approval of this CUP and the messaging on their website should match the conditions in their CUP.

The Commission should consider whether the applicant intends to abide by the conditions that they provide their prospective clients in their marketing materials, or the conditions in their CUP.

- **A CEQA Exemption is Not Justified.** As indicated in the letter from the applicant's legal counsel (attachment K to the Legistar item), the applicant believes that they are exempt from CEQA. They have named three categorical exemptions that they believe pertain to the project. Your staff does an excellent job identifying the flaws in these claims and legal issues at play so I will not repeat their analysis, but I will make a few added observations:
 - **The proposed non-approval scenario is unrealistic.** The applicant's counsel implies that without the CUP approval, the environmental impact denial would be greater than under the proposed CUP because the applicant can have an unlimited amount of marketing events by right and could have "numerous" special events per year of up to 250 guests. They claim that therefore the CUP "would reduce the number of visitors, both annually and on a per-event basis".

There are several flaws with this claim. First, it asserts that the impacts from marketing events and special events are equal. As described in Section 130.40.400 of the current Winery Ordinance (which would apply to any future activities at the site absent this CUP), marketing events "may include, but are not limited to, live music, catered food, food prepared on the premises, winemaker dinners, releases, library wines, discounted sales, 'bottle-your-own,' and similar activities. Live music is subject to Subsection G.8 (Outdoor Amplified Music) below in this Section. **Concerts or other outdoor amplified music or voice or events sponsored by or for the benefit of an organization other than the winery shall not be allowed as marketing events**, but may be allowed as special events subject to Subsection E.3 (Special Events) below in this Section."

During the updates of the Ranch Marketing and Winery ordinances, marketing events were left uncapped because the evidence showed that marketing events hosted by a winery did not have the same tendency to create disruption to the surrounding community as special events. Further, marketing events are important to preserve because they help promote and preserve El Dorado County agriculture.

The applicant appears to threaten that if they are not granted this CUP, they will host more than 165 marketing events per year, and they will host more than 150 people on each occasion. If they do so, they will easily be one of the most popular agricultural operations in El Dorado County. There is no evidence in the record that they can reach and sustain this level of activity. Further, this claim assumes that the only relevant environmental factor is the number of people visiting the property. In fact, the number of people on the property is relatively unimportant in CEQA analysis – what is important is whether the activity on the site has the potential to create a significant environmental impact.

- **The potential environmental impacts from special events are more than amplified sound.** In an apparent concession, the applicant proposes that only six events per year would have outdoor amplified noise (though as discussed above, this does not appear to match their marketing materials). While outdoor amplified noise is a common source of complaints, it is far from the only potential environmental impact from special events.

Noise from conversation, non-amplified speech, singing, dancing, shouting, applause, traffic, etc. can also carry long distances, especially in the rugged terrain that surrounds the property. Other potential impacts include visual impacts from light and glare (important in rural areas such as the project site), impacts to sensitive species, hydrology and water quality, etc. None of these can be waived away by limiting outdoor amplified noise to only six events per year.

- **The Commission should not direct the preparation of a Negative Declaration.** I generally agree with the staff report. However, I do object to staff recommendation option (A)(1) in which the Commission would “direct staff to prepare a Negative Declaration based on an Initial Study prepared by staff”. Section 15063(a) of the CEQA guidelines states, “Following preliminary review, the lead agency shall conduct an initial study determine if the project may have a significant effect on the environment. If the lead agency can determine that an EIR will clearly be required for the project, an initial study is not required but may still be desirable.” Given that the purpose of the initial study is to determine if there may be one or more significant environmental effects, the Commission would prejudice the process and objectiveness of the initial study by directing that a Negative Declaration be subsequently prepared. Should the Commission direct the preparation of an Initial Study (which I do not believe is necessary, given that I believe the appropriate conclusion is CUP denial) it should then provide staff with discretion to then prepare either a Negative Declaration or an Environmental Impact Report based on the results of the Initial Study.

Thank you for the opportunity to share my comments. Unfortunately I will likely not be able to attend the hearing in person due to work obligations, but should you have any questions as you are preparing for the hearing please feel free to contact me at (916) 837-1385 or andynevis@gmail.com

Sincerely,

Andy Nevis
Shingle Springs resident

CC: Karen Garner, El Dorado County Director of Planning and Building
Robert Peters, Deputy Director, Planning
Evan Mattes, Senior Planner
Jefferson Billingsley, Deputy County Counsel

Attachment: Screenshots from Applicant Webpage

Screenshots from Applicant's Webpage (accessed July 19, 2025)



MENL

ESTATE FEATURES & WEDDING AMENITIES

CEREMONY LOCATIONS

- Grand Mountain Overlook (up to 250 guests)
- Ancient Oak Grove (up to 200 guests)
- Vineyard Terrace (up to 175 guests)
- Stone Courtyard (up to 150 guests)
- Indoor Grand Hall (up to 200 guests)

RECEPTION SPACES

- Mountain View Ballroom (up to 250 guests)
- Outdoor Estate Pavilion (up to 200 guests)
- Wine Cave (up to 100 guests)
- Sunset Terrace (up to 175 guests)

Source: <https://blackoak.cool/contact/> ("Weekend Activities" dropdown)



- **Salt Pool:** Dive into our saltwater pool, enriched with structured water akin to a wild mountain stream.
- **EMF-Free Environment:** Immerse yourself in a low to no EMF zone, disconnecting from the digital world for a rejuvenating stay.

ENTERTAINMENT AND RELAXATION

- **Visual Pleasures:** Enjoy large screen televisions in the living area and master bedroom for entertainment.
- **Harmonious Sounds:** Delight in a top-tier sound system, filling both the living area and patio with your favorite tunes.

Source: <https://blackoak.cool/discover-luxury-and-tranquility/>

Public Statement Opposing the Expansion of Event Allowances for Black Oak Mountain Winery

Preserving Community Character, Protecting the Environment, and Prioritizing Resident Well-Being

The proposal to allow a Black Oak Mountain Winery or any small winery to expand its event capacity to 165 events per year raises significant concerns for our community—concerns that merit careful consideration, honest reflection, and decisive action. As residents, neighbors, and stewards of this unique region, we must speak out against this excessive expansion and urge local decision-makers to prioritize the long-term health, safety, and character of our community over short-term commercial gain.

Protecting the Integrity of Our Rural Community

The Georgetown Divide is characterized by its tranquil landscapes, expansive open spaces, and the delicate balance between agriculture and residential development. The current regulations limiting the number of events at small wineries were put in place for a reason: to protect that balance. Allowing a single winery to host 165 events annually—equivalent to more than three events per week—would fundamentally alter the character of the rural environment. The peaceful atmosphere that drew residents and visitors alike would be replaced by constant activity, noise, and traffic. This is not the vision our community has for its future, nor is it compatible with preserving the rural identity that drew us here.

Noise and Quality of Life Impacts

The cumulative impact of frequent events on nearby residents cannot be overstated. Noise pollution—often a by-product of amplified music, large crowds, vehicle movement, and late-night departures—would become a regular occurrence rather than an occasional inconvenience. For families who have chosen to make their homes here seeking peace and quiet, this would represent a significant and unwelcome change.

Sleep disruption, diminished enjoyment of one's property, and the erosion of community cohesion are all real risks. The prospect of having more than 160 events a year means that

there would be few weekends or evenings left untouched by the commotion. No amount of sound mitigation or scheduling limitations can fully address the negative impacts on the quality of life for those living within earshot.

Traffic, Safety, and Infrastructure Concerns

An increase to 165 events a year would bring a substantial rise in traffic to the local roads. Many of these roads are narrow, winding, and not designed for high volumes of vehicles, particularly during evening hours or weekends when many events are likely to be scheduled. The influx of visitors would strain road capacity, increase the risk of accidents, and make the roads far less safe for pedestrians, cyclists, and residents alike.

Furthermore, with a higher frequency of events comes the increased probability of impaired driving—a safety risk that cannot be ignored, especially considering the nature of winery events. Local law enforcement and emergency services would be burdened with additional calls, which would stretch resources thin and potentially delay response times for other residents in need.

Environmental Impact

Frequent large events can have a profound effect on local ecosystems. Increased vehicle emissions, litter, and the potential for chemical runoff from parking areas threaten our local flora and fauna. Noise and light pollution can disrupt wildlife, while the wear and tear on the land itself—from foot traffic and temporary installations—can lead to soil compaction and long-term damage to the landscape.

Additionally, water resources may be strained by the increased demand for sanitation, irrigation, and event amenities. In an era when many communities are facing the challenges of climate change and resource scarcity, it is irresponsible to permit such a dramatic increase in non-agricultural activity at the expense of our natural resources.

Precedent and Cumulative Effects

Allowing Black Oak Mountain Winery to host 165 events per year sets a dangerous precedent for other agricultural or rural businesses in the region. If this request is approved, it will be difficult—if not impossible—to deny similar expansions to other entities, leading to a proliferation of events across the area. The cumulative effect would be the slow transformation of our region from a quiet, agricultural community into a

constant destination for commercial entertainment, undermining the very qualities that makes this place special.

Economic Considerations

While it is true that events can bring revenue and attention to local businesses, it is important to weigh these economic benefits against the costs borne by the community. The wear on public infrastructure, the demand on emergency services and the depreciation of residential property values are all negative externalities that must be taken into account.

Moreover, our region's appeal as a destination is inextricably linked to its unspoiled, peaceful nature. If that is lost, we risk undermining the broader tourism sector—including bed and breakfasts, farm stands, and outdoor recreation vendors—that depend on the rural charm of our area. Sustainable economic growth must be balanced and respectful of the community's values and long-term interests.

Community Engagement and Due Process

It is concerning that such a significant change is being considered without robust community engagement and transparent decision-making. Residents have a right to be heard on issues that will affect their daily lives, property values, and sense of place. A move to allow 165 events per year should be subject to public hearings, environmental reviews, and genuine dialogue with those most affected.

We encourage local officials to facilitate open forums, commission impact studies, and consult with a wide range of stakeholders—including residents, environmental experts, public safety officials, and representatives from various sectors of the local economy. Only through such a process can a truly informed decision be made.

Exploring Alternative Solutions

We are not opposed to supporting local agriculture or the success of small wineries—far from it. Many residents take pride in the region's agricultural heritage and value the role that wineries play in our local economy. However, permitting 165 events per year is neither reasonable nor necessary to achieve these goals.

Instead, we urge consideration of more measured alternatives: maintaining current event limits, allowing for a modest and incremental increase, or exploring non-disruptive avenues for growth that do not compromise the community's character or environment.

Conclusion

In closing, I respectfully but firmly oppose the proposal to allow Black Oak Mountain Winery to expand its event calendar to 165 events per year. This level of activity is incompatible with the values, needs, and vision of our community. We, the residents of the Georgetown Divide and Cool, call upon local officials to reject this request and to reaffirm their commitment to the protection of our rural character, the well-being of residents, and the responsible stewardship of our shared resources.

Let us work together to foster economic vitality, cultural vibrancy, and community spirit—but not at the cost of everything that makes our region unique. Our future depends on decisions that reflect both opportunity and restraint, ambition and responsibility. Let us choose wisely.

Respectfully,

Margie Zamora
Cool, CA



Outlook

**Public comment for 7/24/25 Planning commission meeting REF:
CUP220013/Black Oak Mountain Vineyard**

From Anthony <major2@comcast.net>

Date Sun 7/20/2025 2:45 PM

To Planning Department <planning@edcgov.us>

Cc BOS-District IV <bosfour@edcgov.us>

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Chair and Commissioners:

A watershed moment signifies a critical juncture that marks a significant change or turning point in a situation, event, or course of history. It delineates the boundary between what came before and what follows, often leading to substantial developments or shifts in perspective.

Last year, the County made a concerted effort to tighten and strengthen our Winery and Ranch marketing ordinances to prevent abuses from proliferating. The Agricultural Commissioner, along with County staff, spent over a year rewriting and revising these ordinances. The updated provisions now allow agricultural properties to increase their special events while balancing them with increasing agricultural production, ensuring that their primary focus remains on agriculture and that commercial activities do not subordinate their agricultural business.

However, this CUP and any future similar CUPs will conflict with and override these established intentions.

This CUP is requesting a significant increase—approximately 1200%—in the number of special events, with no mention of increasing its agricultural potential.

This raises an important question: are they operating primarily as a winery, or are

they transitioning toward becoming an event venue? According to the winery ordinance in El Dorado County, the primary purpose of a winery is to produce, process and sell wine, not to function as a commercial event center. Such a shift in focus undermines the agricultural intent of the ordinances and contradicts the very definition of agricultural production.

This is more than a land-use issue. It's a public safety risk.

This property has one road in and out, in a known wildfire-prone area. They're proposing to bring 24,000+ guests per year—these will be transient partygoers unfamiliar with rural evacuation routes or fire safety protocols. The only way in and out of this area is highway 193, a two-lane highway that was congested during the “Country Fire 2019” and “Creek Fire 2024” evacuations.

Commissioners are stewards of the land, responsible for upholding the County's General Plan and its commitment to vibrant agricultural communities. As documented in the Agricultural Commission's December 11, 2024 hearing:

This CUP has the potential to increase conflicts between adjacent residential and agricultural activities. In my opinion it will disturb the peace and tranquility that neighbors currently enjoy. These disruptions threaten the harmony of our community and undermine the very fabric of our rural character.

Crucially, the Commission recommended (Meeting Minutes, p. 9):

The planning commission:

“(1) to verify that the operation meets the requirements set forth in the Winery Ordinance, as the proposed CUP is predicated upon compliance, and (2) to use the Winery Ordinance as a guide in determining appropriate CUP conditions.”

Approval would set a damaging precedent, signaling that agricultural land can be commercially repurposed without limitation—directly contradicting the General Plan's mandate to preserve agricultural heritage and rural character.

A favorable decision would open the floodgates to transforming farmland into event hubs, fundamentally altering our landscape into venues focused on profit over preservation.

The future of El Dorado County's agricultural integrity—and your legacy as stewards—depends on the choice made today:

Reinforce protection of rural lands, or

Accelerate their decline into unchecked commercialism.

This is your watershed moment.

Deny this CUP to uphold the General Plan, community safety, and the agricultural soul of our County.

Thank you for your time.

Regards,

Anthony Desipio

Cool, Ca



Outlook

CUP22-0013-Black Oak Mountain Winery

From LM Galliano <rrmauburn@gmail.com>

Date Mon 7/21/2025 8:14 AM

To Planning Department <planning@edcgov.us>

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Dear Planning Commission,

We are writing to express support for the conditional use permit application from Black Oak Mountain Winery. Our property is near the winery venue and we support the development of local business in this area. The winery property has been maintained in a way that supports fire safety, and we believe that having the ability to operate and expand the business will ensure that the property continues to be well-maintained.

We support the right of rural landowners to use their property to earn income, helping to offset vegetation maintenance and property tax costs. This is especially critical for residents who are not long-time owners and have not benefited from generational inheritance or the prop 13 tax reduction that long-term owners are benefitting from. This business also provides much-needed job opportunities for local people on the Georgetown Divide.

Again, we support the Black Oak Mountain Winery's conditional use permit application and we wish our neighbors continued success in their business.

Morgan and Robert Galliano
3108 Mirinda Ln, Cool, CA