



PLANNING & ZONING COMMISSION MEETING AGENDA

EDELWEISS LODGE & SPA
TAOS SKI VALLEY, NEW MEXICO

MONDAY, JANUARY 6, 2014 1:00 P.M.

7 Firehouse Road
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Taos Ski Valley
New Mexico 87525

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E-mail: vtsv@vtsv.org
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MAYOR:
Neal King

COUNCIL:
Kathleen V. Bennett
J. Christopher Stagg
Barbara L. Wiard
Tom Wittman

**VILLAGE
ADMINISTRATOR:**
Mark G. Fratrack

CLERK/TREASURER:
Vanessa N. Chisholm

- I. **CALL TO ORDER & ROLL CALL**
- II. **APPROVAL OF THE AGENDA**
- III. **APPROVAL OF THE MINUTES OF THE NOVEMBER 4, 2013 MEETING**
- IV. **NEW BUSINESS**
 - A. Consideration to Approve **Resolution # 2014-254** A Resolution Concerning Governing Body Meetings and Public Notice Required
- V. **OLD BUSINESS**
 - A. Discussion - Village Snow Storage, Existing and Proposed
- VI. **MISCELLANEOUS**
 - A. Presentation by Peter Talty / Rio Hondo Holdings: Introduction to base area development plan
- VII. **ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING**
- VIII. **ADJOURNMENT**



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

EDELWEISS LODGE AND SPA
TAOS SKI VALLEY, NEW MEXICO

MONDAY, NOVEMBER 4, 2013 1:00 P.M.

1

2 **I. CALL TO ORDER & ROLL CALL**

3 Commission Chair Tom Wittman called the meeting to order. A quorum was established with
4 Commission members Richard Duffy, Mary Mortimer, Chris Stagg, and Tom Wittman present.
5 (Mortimer had submitted her provisional resignation at the September meeting, but offered to attend
6 meetings until new Commissioners could be appointed by the Mayor.) Elisabeth Brownell entered
7 later, during discussion of item IV. A. Susan Nichols was absent. Staff members Mark Fratrack, Don
8 Schieber, and Ann Wooldridge were in attendance, as well as attorney Dennis Romero.

9 **II. APPROVAL OF THE AGENDA**

10 **MOTION:** To approve the agenda as presented.

11 **Motion:** Mary Mortimer **Second:** Richard Duffy **Passed:** 4-0.

12 **III. APPROVAL OF THE MINUTES OF THE SEPTEMBER 30, 2013 MEETING**

13 **MOTION:** To approve the minutes as presented.

14 **Motion:** Chris Stagg **Second:** Mary Mortimer **Passed:** 4-0.

15
16 **IV. NEW BUSINESS**

17 **A. Discussion - Consideration to Purchase Land for Village Snow Storage**

18 Village regulations allow for snow storage in setbacks and designated snow storage areas, all on
19 private property. Village rights-of-way cannot accommodate the amount of snow generated by the
20 Village road crews plowing the roads. As development occurs in the Village, there will be very little
21 land adjacent to Village roads for snow storage, especially in the Core area. Setbacks will become
22 problematic as these areas are planned to be utilized for pedestrian paths, streetscapes, and limited
23 curbside parking. Schieber explained that the Village could take the lead in exploring options for other
24 areas for snow storage, such as empty plots of land, which could be used by both the Village and by
25 private entities. Funding options would need to be explored for purchases or leases. Most other ski-
26 area towns provide a central snow storage area. Schieber said that there a couple of parcels in
27 Amizette with could be purchased, or there is some land in the Kachina area for possible lease. Land
28 adjacent to the river is not appropriate because mitigation is required. The new language regarding
29 snow storage requirements that will become effective with revised Ordinance 2014-30 states that an
30 owner is responsible for accommodating their own snow, and the snow on their half of the road. If
31 this is not possible due to lack of open space on the property, it is the owner's responsibility to come
32 up with an alternate plan for storage. The Commissioners discussed various possible sites, including
33 an area near the lower parking lot. In the end, the Commission asked Schieber to do further analysis
34 and bring a plan back to P&Z.

35

1 **V. OLD BUSINESS**

2 **A. Consideration to Recommend Revised Snow Removal Requirements be added to Section 7.4**
3 **Snow Safety of Ordinance #13-30.**

4 Dennis Romero explained that the new language will impose more responsibilities on property owners
5 in regards to accommodating the snow on their property and on the adjacent road. This latest draft
6 language was discussed, with several Commissioners noting that being specific about the
7 requirements is good. It was decided that another paragraph needed to be added to address people
8 who are plowing snow who are not specifically contractors, for example a property owner plowing their
9 own snow who might still be able to harm Village property.

10 **MOTION:** Move to recommend approval by Council of proposed revisions to Section 7.4 Snow Safety
11 of Ordinance 13-30, with added section 5.b. on homeowners' responsibilities.

12 **Motion: Mary Mortimer Second: Richard Duffy Passed: 5-0.**

13 **VI. MISCELLANEOUS**

14 **A. Commissioner Mary Mortimer asked whether a certain property in Amizette was following the**
15 **Village code in the placement of buildings. Schieber replied that this property conformed to Village**
16 **regulations.**

17 **B. Chairman Wittman presented a certificate of service to Mary Mortimer for appreciation of many**
18 **years served on the Commission. The similar certificate for Steve Ruppert will be mailed to him.**
19

20
21 **VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING:** The next meeting
22 is scheduled for January 6, 2014 at 1:00 p.m. at the Edelweiss Lodge & Spa Conference Room. (No
23 meeting is planned for the month of December.)

24 **VIII. ADJOURNMENT**

25 **MOTION:** To adjourn.

26 **Motion: Mary Mortimer Second: Richard Duffy Passed: 5-0.**
27

28 _____
29 Tom Wittman, Chairperson

VILLAGE OF TAOS SKI VALLEY PLANNING & ZONING COMMISSION
AGENDA ITEM

AGENDA ITEM TITLE:

Consideration to Approve Resolution #2014-254 A Resolution Concerning Governing Body Meetings and Public Notice (AKA Open Meetings Act)

DATE: January 6, 2014

PRESENTED BY: Staff

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION: Required annually by the State of New Mexico, this is the open meetings act that governs when and how meetings will be conducted. There is a new requirement as of July 1, 2013 that the agenda be available seventy-two hours in advance of the meeting, as opposed to the previous requirement of twenty-four hours.

RECOMMENDATION:

Motion to approve Resolution #2014-254, A Resolution Concerning Governing Body Meetings and Public Notice Required.

VILLAGE OF TAOS SKI VALLEY

RESOLUTION No. 2014-254

A RESOLUTION CONCERNING GOVERNING BODY MEETINGS AND PUBLIC NOTICE REQUIRED.

WHEREAS, Section 10-15-1(B) of the New Mexico Open Meetings Act, NMSA 1978 as amended, provides that “All meetings of a quorum of Village Council or any board, commission or other policy-making body of any state agency, or any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority or the delegated authority of such board, commission or other policy-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution or the provisions of the Open Meetings Act”; and,

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, regulation or formal action occurs shall be held only after reasonable notice to the public; and,

WHEREAS, Section 10-15-4, NMSA 1978 provides that “Any person violating any of the provisions of Section 10-15-1, NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) for each offense”; and,

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Village of Taos Ski Valley to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE BE IT RESOLVED by the Planning and Zoning Commission of the Village Of Taos Ski Valley, New Mexico that:

1. All meetings shall be held at the Edelweiss Lodge and Spa, Club Room, at 1:00 p.m. or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the first Monday. The agenda will be available at least seventy-two hours prior to the meeting from the Village Clerk/Treasurer whose office is located above the Taos Ski Valley Firehouse, 7 Firehouse Road, Taos Ski Valley, New Mexico. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. Special meetings may be called by a majority of the Commission upon three (3) days’ notice. The notice shall include an agenda for the meeting or information on how the Commission or the public may obtain a copy of the agenda. The agenda shall be available to the public at least twenty-four hours before any special meeting.
4. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Village of Taos Ski Valley will avoid emergency meetings whenever possible. Emergency meetings may be called by a majority of the Commission upon twenty-four (24) hours’ notice, unless threat of personal injury or property

damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

5. In addition to the regular meetings of the Village there are Briefings and Workshop Meetings at which no action will be taken, and are held principally as information and study sessions. When these meetings are scheduled Notice will be provided.

6. The notice requirements of Sections 1, 2, 3, 4 and 5 of this Resolution are complied with if the proposed agenda with the meeting date, time and location is posted at the Village's offices above the Taos Ski Valley Firehouse, 7 Firehouse Road and at the glass box outside the U.S. Post Office for Taos Ski Valley, New Mexico, and four other public places within the Village, as provided by Section 3-1-2 NMSA 1978. Revised agendas may be posted up to seventy-two (72) hours prior to the meeting. In addition, written notice of such meetings shall be mailed or hand delivered to federally-licensed broadcast stations and newspapers of general circulation which have provided a written request for such notice.

7. Notwithstanding any other provisions of Sections 1 through 6 of this Resolution, the Commission may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

8. If any meeting is closed pursuant to exclusions contained in Section 10-15-1, Subsection H, NMSA 1978, such closed meetings called by the Commission shall not be held until public notice, appropriate under the circumstances, and in compliance with Sections 1 through 6 of this Resolution, has been given. In addition, such notice shall state the exclusion or exclusions in Section 10-15-1, Subsection H, NMSA 1978 of the Open Meetings Act, under which such closed meeting is permitted.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2014.

**THE VILLAGE OF TAOS SKI VALLEY
PLANNING AND ZONING COMMISSION**

Thomas P. Wittman, Chair

Attest:

Village Clerk

Vote: For _____ Against _____

VILLAGE OF TAOS SKI VALLEY / P & Z AGENDA ITEM

P & Z AGENDA ITEM: Village Snow Storage/Existing and Proposed

DATE: January 6, 2014

PRESENTED BY: Staff

STATUS OF AGENDA ITEM: Old Business

CAN THIS ITEM BE RESCHEDULED: Not Recommended

BACKGROUND INFORMATION: Staff has evaluated existing and proposed snow storage options throughout the Village to determine short and long term solutions for Village and private snow storage. The upper valley (Porcupine Road to Kachina area) has available options for both private and public snow storage areas that can provide long term solutions for development in the upper valley. As shown on the map, it appears that the core area can utilize the snow storage areas provided by the Village on or adjacent to Porcupine Road and upper Kachina Road.

By looking at the available snow storage parcels on the map prepared by Staff, it is apparent that snow storage options in the core area are somewhat limited and dependent on the existing TSV Inc. solution to utilize the area by the guard shack. The private business owners including TSV Inc. currently utilize this area (through a USFS special use permit) for snow storage from the Pagoda area and it is not clear how this use can still be maintained if the Pagoda gets redeveloped. The snow parcel map also indicates some future snow storage areas that could be utilized upon the acquisition of the WWTP site under the Town Site Act. There is an available lease option that could accept all excess snow by both Village and private owners, but the biggest constraint for the lease area along Porcupine Road and Kachina is snow must be transported uphill. There are some available parcels that could be purchased in the Amizette area for a reasonable cost but there are budget issues with any potential purchase. The Village could re-evaluate the impact fees and possibly structure the needs assessment to help offset the cost to the Village.

Discussions with developers have addressed the importance of snow removal and storage. The snow removal ordinance addresses the issue to developers in a way that allows them to present a snow storage and removal plan to the Village for approval. The biggest issue is where the snow can go and it appears that snow will need to be trucked uphill until other options can be obtained. The Village should coordinate with private parties any offsite removal of snow and devise an equitable cost-sharing plan that can be factored into the plan presented by developers. There will be at least fifteen parcels that will have inadequate facilities for snow storage upon build-out of the Village core.

RECOMMENDATION: Staff would like to pursue funding options that could be partially offset by development. We could re-evaluate the needs-assessment report and utilize existing impact fees, especially the roads portion that will enable the Village to acquire or lease areas suitable for snow storage. The greatest concern for snow storage is the area around O.E. Pattison Loop and Coyote Lane. The Village currently utilizes a private parcel for needed snow storage and at best

will only be able to use this site for short term snow storage. This also affects homeowners in the cabin area of the Village that do not have available options. Staff has discussed this with the private contractors who remove snow and will tentatively devise a solution by which affected homeowners will be charged appropriate fees if snow needs to be trucked to a designated area for storage. These contractors utilize Public areas to move snow to at this time if space is not available on the private parcel being plowed. Some long term planning and partnering with homeowners and developers will be required by Village Staff in order to find the ultimate solution to long term snow storage within the Village.