



# PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

EDELWEISS LODGE AND SPA  
TAOS SKI VALLEY, NEW MEXICO

MONDAY, JANUARY 7, 2013 1:00 P.M.

## I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order. A quorum was established with Commission members Elisabeth Brownell, Mary Mortimer, Susan Nichols, Steve Ruppert, Chris Stagg and Tom Wittman present. Richard Duffy was absent. Staff members Mark Fratrack, Don Schieber, Ann Wooldridge, and John Miller were in attendance.

## II. APPROVAL OF THE AGENDA

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

**Motion:** Chris Stagg                      **Second:** Mary Mortimer                      **Passed:** 6-0.

## III. APPROVAL OF THE MINUTES OF THE NOVEMBER 5, 2012 MEETING

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

**Motion:** Mary Mortimer                      **Second:** Chris Stagg                      **Passed:** 6-0.

## IV. OLD BUSINESS

## V. NEW BUSINESS

**A. PUBLIC HEARING:** Application for Preliminary Plat Approval, Kachina Section 15, Township 27N, Range 14E, 41.08 acres containing four lots and open space, by Lake Fork Creek Holdings, LLC.

Don Schieber introduced the preliminary subdivision plat application to divide a 41-acre parcel into 4 large lots averaging 5.850 acres, and an open space of 17.616 acres. The parcel is adjacent to and above Kachina Subdivision Lots 8-11 and Kachina Subdivision Tract A. Lots 2, 3, and 4 will be accessed by Blue Jay Ridge Road (a private road), and Lot 1 would have a private access road from Kachina Road via an easement from TSV Inc. Schieber said that the preliminary plat submitted is substantially complete, and the engineering drawings are also complete. The site design standards are compatible with the Village Zoning regulations especially as they pertain to steep slopes, grading, geological outcropping preservation, and planned riparian and spring seep area protection. Red Tail Surveying had prepared the submittal documents. Schieber recommended that final design guidelines refer to fire-wise thinning and clearing regulations in the Zoning ordinance, and in the urban wild land interface code adopted by the Village. A zone change will be required for the entire parcel from farming and recreation to residential prior to approval of the final plat.

In 2010, this 41-acre parcel was subdivided out of the Pattison's 1350-acre farming and recreation parcel and was sold to Lake Fork Creek Holdings. The Village and Lake Fork Creek Holdings worked out an agreement for the Village to receive a 0.23-acre site (Tract 'A') out of the 41-acre parcel (Tract 'B') on which to build a high zone water tank, with utility easements, and an easement to access the tank. The agreement allows 4 years from the date that the agreement was signed (August 17, 2011)

1 to construct the tank, or the site and easements revert back to Lake Fork Creek Holdings. Once the  
2 tank were to be built, the developer requests 3 years to complete the necessary infrastructure  
3 improvements. The developer would install the water and sewer lines, to which the houses would be  
4 required to connect. A booster pump will be necessary to circulate the water and raise it up to the  
5 houses. The gravity sewer lines will use an effluent system for black water. These lines will become  
6 the property of the Village. Since funding for the Kachina water tank has not been determined at this  
7 time, there may be a need to extend the deadline for tank construction, if both parties are in  
8 agreement. If the tank didn't get built, the lots could still be sold and houses could access water from  
9 wells or by pumping water from the Phoenix Spring.

10 Peter Talty spoke on behalf of the developers of this subdivision. They are working with Taos Ski  
11 Valley, Inc. (TSV Inc.) on relocating the Williams Lake Trail, and TSV Inc. is, in turn, working with the  
12 Forest Service. The trail currently crosses private land. Conservation easements are being  
13 considered to protect the spring watershed.

14 The roads within the subdivision will meet Village standards. The portion of the road leading up to the  
15 Schnitzer house is at a 22% grade, and so the Village would not be responsible for snow removal.  
16 According to Talty, there might be an opportunity to move the driveway to make it less steep once the  
17 lots are sold. The building sites will be at approximately 10,300 to 10,500 feet in elevation. No clear-  
18 cutting will be allowed.

19 **PUBLIC HEARING:** The Public Hearing was opened. Peter Talty spoke in favor of the application  
20 saying that this is a worthwhile project. Also, he said that his group is pleased to have worked out an  
21 arrangement with the Village for the water tank site. Keith Dowell, property owner, spoke in favor of  
22 the application saying that it looks to be a quality subdivision by a good development group. Robert  
23 Watt from Red Tail Surveying spoke in favor of granting the application, noting that it is "conscious"  
24 development. No one spoke against. The hearing was closed.

25 **MOTION:** To approve the Application for Preliminary Plat Approval, Kachina Section 15, Township  
26 27N, Range 14E, 41.08 acres containing four lots and open space, by Lake Fork Creek Holdings,  
27 LLC., with the conditions that 1) The Village have the unilateral right to extend by four years the period  
28 of time necessary to complete the construction of the Kachina water tank, and 2) That the final plat  
29 state that a portion of these lands may not be suitable for construction.

30 **Motion: Mary Mortimer Second: Steve Ruppert**

31 There was some discussion as to whether Fire Department and EMS would be required, or be  
32 able, to access these homes. There may be language in the final plat to state that emergency  
33 services may not be available. The Village Building Inspector will require sprinklers in all of the  
34 homes.

35 **The question was called: Passed: 6-0**

36  
37 **B. Consideration to Approve Resolution # 2013-239, A Resolution Concerning Governing Body**  
38 **Meetings and Public Notice Required**

39 This is the "open meetings act" that is required annually by the State of New Mexico to govern  
40 when and how meetings will be conducted.

41 **MOTION:** To approve Resolution # 2013-239, A Resolution Concerning Governing Body  
42 Meetings and Public Notice Required .

43 **Motion: Chris Stagg Second: Mary Mortimer Passed: 6-0.**

44  
45 **VI. MISCELLANEOUS**

46 **A.** Ray Keen, Public Works Director, reported on the continued effort to determine the most  
47 effective method of controlling dust on Village roads during the dry summer weather. Under  
48 consideration is a magnesium chloride application followed by water sprayed overtop to seal the  
49 road.

50 **B.** Ray Keen relayed the difficulties experienced at the wastewater treatment plant over the holiday  
51 period with extremely high flows coming into the plant; flows were nearly double the volume from

1 last year. Chris Stagg said that skier days were one-third lower than last year. Reason for the high  
2 flows remains a mystery.

3 With possible development occurring in the near future, the Village needs to pursue acquiring the  
4 treatment plant land from the Forest Service through the Townsite Act; owning the land on which  
5 the treatment plant sits will open more funding opportunities for the Village. The current treatment  
6 plant was not designed for the flows that occurred over the holidays.

7  
8 **VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING:** The next meeting  
9 will take place on Monday, February 4, 2013 at 1:00 p.m. at the Edelweiss Lodge & Spa  
10 Conference Room. (**Note:** this meeting was later cancelled. The following meeting was scheduled  
11 for March 4, 2013.)

12 **VIII. ADJOURNMENT**

13 **MOTION:** To adjourn.

14 **Motion: Mary Mortimer                      Second: Steve Ruppert                      Passed: 6-0**

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16 Tom Wittman, Chairperson