



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

TENDERFOOT KATIE'S, TSV RESORT CENTER,
TAOS SKI VALLEY, NEW MEXICO

FRIDAY, JULY 27, 2018 1:00 P.M.

I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order at 1:05 p.m. Roll call was taken and a quorum was established. Commission members present: Richard Duffy, Neal King, Chris Stagg, and Tom Wittman. Commission members absent: Henry Caldwell, Susan Nichols, Jim Woodard. Staff members present: Village Administrator Mark Fratrack, Planning Director Patrick Nicholson, Building Inspector Jalmar Bowden, and Attorney Dennis Romero.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Neal King **Second:** Richard Duffy **Passed:** 4-0

(It was noted that a quorum of the Village Council was present with Mayor Brownell, Councilor Stagg, and Councilor Wittman in attendance.)

III. OLD BUSINESS

IV. NEW BUSINESS

A. PUBLIC HEARING: Consideration to Approve Application for a Variance to the Wetland Setback at the Kachina Subdivision Land 13, 100 Kachina Road, by TSV, Inc.

Planning Director Nicholson explained that Taos Ski Valley, Inc. (TSVI) is requesting a Variance to the fifteen (15) foot wetland setback requirement for the renovation/addition to the Bavarian Lodge and Restaurant within the Commercial/Business Zone. The encroachment of nine feet two inches (9'2") into the wetland setback is at the northwest corner of the proposed kitchen extension. The newly renovated building will be approximately six (6) feet from the delineated Kachina Wetland boundary.

The applicant's Justification Letter, Exhibits, and wetland delineation report - TSVI Assessment of Wetland Conditions at the Bavarian Lodge Site were included in the presentation. The U.S. Army Corps of Engineers Regulatory Division submitted a letter which states that no permit is required concerning the expansion.

PUBLIC HEARING: Peter Talty with TSV Inc. spoke in favor of granting the variance, saying that they are trying to address skier use of the facility for lunchtime traffic. Thomas Schulze spoke in favor, saying that this is the only direction in which the building could be expanded and it is still sensitive of the environment. He thinks that the expansion will be a big benefit to staff and visitors alike. No one spoke against. The Public Hearing was closed.

MOTION: To approve the Application for a Variance to the Wetland Setback at the Kachina Subdivision Land 13, 100 Kachina Road, by TSV, Inc.

Motion: Neal King **Second:** Richard Duffy

Director Nicholson said that Staff recommends approval, with the following conditions:

1. Applicant will install and maintain silt fencing and other measures necessary to protect the ecological integrity of the Kachina Wetland and insure no wetland disturbance occurs. Protective measures must remain in place throughout the duration of construction and site improvements.

2. Any large off-site gatherings or formal ceremonies held on adjacent properties will require a Special Use Permit or rezoning. The structural or landscape improvements for such gatherings, likewise, will require a Special Use Permit or rezone.
3. Landscape screening of the service area, as shown on the submitted landscape plan, to occur outside the wetland delineated area. The plant species are to be appropriate for wetland upland habitat.
4. Resolve, through a lot line adjustment or other means, the building encroachment onto the adjoining property (the Phoenix) prior to the issuance of a Certificate of Occupancy. This would include the required five (5) foot front setback. In addition, submit a final approved plat which resolves the lot line between the adjoining property parking lot (Bavarian Chalets) and the subject property.
5. The Village must issue a Building Permit and all applicable permits prior to commencing any construction or demolition.
6. Any material or substantial changes to the application must be approved by the Planning and Zoning Commission; all other changes must be approved administratively by the Planning Officer and as required by the Zoning Regulations.

Peter Johnson with TSV Inc. said that they will apply for a simple lot line adjustment. He also said that special measures will be taken during construction to protect the wetlands. He will speak with Director Nicholson to clarify the landscape plan.

They will seek a building permit next week, with plans to complete the project by early December.

The Commission Chair called for a vote: Passed: 4-0

V. MISCELLANEOUS

VI. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING: The next meeting of the Planning & Zoning Commission will take place on Monday, August 6, 2018 at 1:00 p.m. at the Tenderfoot Katie's in the TSV Resort Center.

VII. ADJOURNMENT

MOTION: To adjourn.

Motion: Chris Stagg Second: Tom Wittman Passed: 4-0

The meeting adjourned at 2:15 p.m.

Tom Wittman, Chairperson

ATTEST: _____
Ann M. Wooldridge, Village Clerk