



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
MONDAY, MARCH 2, 2020 1:00 P.M.

I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order at 1:00 p.m. Roll call was taken and a quorum was established. All Commission members were present: Henry Caldwell, Richard Duffy, Neal King, Susan Nichols, Chris Stagg, Tom Wittman, and Jim Woodard. Staff members present: Planning Director Patrick Nicholson, Village Administrator John Avila, Village Clerk Ann Wooldridge, Building Inspector Jalmar Bowden, Public Works Director Anthony Martinez, and Attorney Susan Baker.

It was noted that a quorum of the Village Council was present: Mayor Brownell, Councilor Pattison, Councilor Stagg, and Councilor Wittman.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda with the addition of discussing the Kachina Master Plan under Miscellaneous.

Motion: Commissioner Nichols Second: Commissioner King Passed: 7-0

III. APPROVAL OF THE MINUTES OF THE JANUARY 6, 2020 P&Z COMMISSION MEETING

MOTION: To approve the minutes as presented

Motion: Commissioner Stagg Second: Commissioner King Passed: 7-0

IV. NEW BUSINESS

A. PUBLIC HEARING: Consideration to Approve a Riparian Setback Variance for the installation of a residential bridge across the Rio Hondo at Block 2, Lot 1 of the Amizette Subdivision

Planning Director Nicholson explained that in order to access new residential construction and a home site in Amizette, a bridge across the Rio Hondo is necessary. The proposed single-span bridge is approximately 220 square feet and is 18 feet long, connected to concrete abutments on each end. The supporting abutments are within the minimum 20-foot riparian setback requirement, necessitating consideration and approval of a Variance request. The applicant's Justification Letter, Site Plan and Design documents, and US Corps of Engineers regulatory letter were presented. A new LiDAR terrain and contour map of the area near the subject property was also presented. The zoning is Commercial-Business for this property.

Mr. Doug Patterson, with Living Design Group, said that the goal is to not disturb the stream at all. He noted that the letter from the Army Corps of Engineers states that no permit is required from them. Abeyta Engineering designed the abutments and separate engineering will be conducted for certification of the structure. The bridge load will be adequate for a truck carrying 4 cubic yards of concrete. The bridge will not allow use by the Village's pumper truck weight and the owner of the property is aware of this.

PUBLIC HEARING: The public hearing was opened by Commission Chair Wittman. Speaking in favor was Doug Patterson with Living Designs Group. No one spoke against. The public hearing was closed.

MOTION: To approve a Riparian Setback Variance for the installation of a residential bridge across the Rio Hondo at Block 2, Lot 1 of the Amizette Subdivision

Motion: Commissioner Woodard Second: Commissioner King

Building Official Bowden noted that the engineering of the abutments meets all building codes. Fire Chief Molina said that the Village's fire trucks carry 150 feet of hose, and that the house will be 41 feet from the opposite side of the river where a pumper truck would park. Mr. Patterson said that the bridge would be able to carry a load that would allow for the Town of Taos' largest fire engine. The septic system meets the requirements for septic systems set by NMED.

B. INTRODUCTION of RESOLUTION 2020-422 - the Village of Taos Ski Valley Region Source Water Protection Plan as an Amendment to the Village’s Comprehensive Plan

Director Nicholson introduced Ms. Martha Graham from the NM Rural Water Association who has been working with Village staff and interested parties on a draft Source Water Protection Plan for the Village, during the last two years. She is the Source Water Protection specialist at the NM Rural Water Association. Ms. Graham explained that a water protection plan looks at the raw water that the public uses and produces a plan to implement best practices to avoid potential hazards to this water. Ms. Graham said that more than 40 people from 15 organizations had been involved in developing the plan, from the US Forest Service, to the Acequia Association, Amigos Bravos, the Texas Land & Cattle Company, Amizette residents, the Rural Water Association, the Shopoff group, and several engineers.

The goals of developing a source water plan are to create a plan with a team from the community, to identify source areas, to consider contamination, to develop a protection plan, and to consider contingency plans. The Village uses one source of water currently, at the Phoenix Spring, besides wells in Amizette and in Block N, at the St. Bernard Condos, and at the Whistlestop. The Gunsite Spring is being developed and tested as an alternative water source. The two Village spring sources are classified as ground water, not surface water.

Two separate protection areas have been identified for each spring: Zone A would be immediately around the spring and 300 feet up the gradient, while Zone B would extend 200 feet laterally and 100 feet down the gradient. The biggest risks for contamination of source water are fires, and the post-fire impacts. Thinning has been conducted above the Phoenix Spring.

Ms. Graham said that beyond adopting a Source Water Protection Plan, the Village could create ordinances to outline best management practices and create mitigation standards.

Mr. Joe Canepa, TSVI Attorney said that TSVI owns the land around the Phoenix Spring and that property rights around the Phoenix Spring needed to be observed. There is some residential zoning and some commercial zoning there currently and the Village should not conduct “spot zoning” or down-zoning. Ms. Abby Sanger, attorney for the Shopoff group, agreed and said that the Shopoff group will incorporate some no-build zones for water source protection.

V. OLD BUSINESS

VI. MISCELLANEOUS

A. Commissioner Wittman said that it would be best to proceed with the Kachina Master Plan using the previous working document, which was about 60% complete he said.

B. Homeowner Kent Kiehl asked that the Village create an updated avalanche safety plan.

C. TSVI’s Peter Talty recommended that an outside contractor be hired for completion of the Kachina Master Plan.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING:

The next meeting of the Planning & Zoning Commission is scheduled for April 6, 2020. (Note: this meeting was later cancelled, and the following meeting was scheduled for May 4, 2020 at 1:00 p.m. via Zoom..)

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Commissioner Stagg Second: Commissioner Duffy Passed: 7-0

The meeting adjourned at approximately 2:35 p.m.

Tom Wittman, Chairperson

ATTEST: _____
Ann M. Wooldridge, Village Clerk