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**PLANNING & ZONING
COMMISSION:**

Thomas P. Wittman, Chair
Henry Caldwell
Richard Duffy
Yvette Klinkmann
Susan Nichols
J. Christopher Stagg
Jim Woodard

VILLAGE ADMINISTRATOR:
John Avila

**DIRECTOR OF PLANNING &
COMMUNITY DEVELOPMENT:**
Patrick Nicholson

VILLAGE CLERK:
Ann Marie Wooldridge

**PLANNING & ZONING
COMMISSION
REGULAR MEETING DRAFT MINUTES**

Monday, July 11, 2022 1:00 P.M.
Via Zoom TeleConference

See www.vtsv.org for information to attend the meeting
TAOS SKI VALLEY, NEW MEXICO

MINUTES

- I. **CALL TO ORDER & ROLL CALL:** The Planning and Zoning Commission Meeting for the Village of Taos Ski Valley was called to order by Commission Chair Wittman. All commissioners were in attendance.
- II. **APPROVAL OF THE AGENDA:**
MOTION: To approve the agenda as written
MOTION: Commissioner Duffy **SECOND:** Commissioner Woodard
PASSED: 7-0
- III. **APPROVAL OF THE MINUTES OF APRIL 4, 2022 P&Z COMMISSION MEETING:**
MOTION: To approve the minutes as written
MOTION: Commissioner Nichols **SECOND:** Commissioner Duffy
PASSED: 7-0
- IV. **OLD BUSINESS:** No items of old business
- V. **NEW BUSINESS**
 - A. **PUBLIC HEARING:** Consideration to Approve a Conditional Use Permit for a Multi-Family Unit in a Single-Family Zone at 3 Coyote Lane. Public Comments shall not exceed five (5) minutes:
Attorney Baker reminded all Commissioners to recuse themselves from this application consideration if necessary. The law does require that if any parties have made ex-parte communications, expressed an opinion, or are biased regarding the application, the best practice is to recuse. Commissioners Klinkmann and Stagg recused themselves from voting on this item.
Staff report: Planning Director Nicholson reported that the Village had received three late written correspondences

opposing the application. The correspondence letters were from Mike Klinkmann, Francie Parker, and Russ Olsen. Planning Director Nicholson explained that this request is for a conditional use permit for multifamily use in a single-family zone. Reports were presented. The applicant (TSVI) is requesting a conditional use permit (CUP) to formally change the use of an existing two-story residence to multifamily use. A multifamily dwelling can be permitted within the residential zone upon Planning & Zoning Commission approval. The application generally complies with the standards for conditional use. The proposal is asking to modify the structure that was damaged by an avalanche in February of 2019 into a two-unit residence.

Architect Doug Patterson, representing TSVI, said that the building will not be used as a dormitory, that it will have one dwelling unit on each floor. Mr. Patterson said that the reason why this is before the Commission and requires a building permit is due to the avalanche. The condition of the permit is that an avalanche barrier be built. The intention is to build the avalanche barrier, repair the walls to the structure, and refinish the interior of the building. TSVI is not adding anything or modifying anything. This building is to be restored to its original configuration when it was built in 1976. Mr. Patterson explained that since this building was purchased, TSVI has put in place more than 100 units for employee housing outside of the single-family zone. This building will be limited to the two existing parking spaces.

PUBLIC HEARING:

Four members of the public spoke in favor of the permit request: Douglas Patterson, Brad Farnham, Ben Pitz, and Peter Talty. Mr. Talty explained that employees living on the mountain will have responsibilities to volunteer for Village activities. TSVI has tightened up its policy on noise allowances, parking requirements, and general rules and regulations for use of properties by staff. If approved, this permit would provide housing for couples and families and management members of TSVI.

Three people spoke against granting the conditional use permit: Homeowners Bill Hegman, Francie Parker, and Yvette Klinkmann. All have expressed that they would rather see the house used for one single unit family home.

MOTION: To Approve a Conditional Use Permit for a Multi-Family Unit in a Single-Family Zone at 3 Coyote Lane with the three Village recommendations:

(1). Strict compliance with all existing property and building regulations including dark skies, noise, parking, and occupancy

limits. All violations will be documented and retained by Village Staff)

(2). The CUP shall be granted for a period of two years after which an application for renewal shall be submitted. At that time the CUP shall be reviewed for adherence to the condition of approval.

(3). The project shall be approved as presented.

MOTION: Commissioner Duffy **SECOND:** Commissioner Woodard

PASSED: 3-2 (Commissioners Caldwell and Woodard voting against)

Commissioners Klinkmann and Stagg Recused from the vote

Director Nicholson explained that other modifications will require subsequent review and analysis by Village Staff. The significant fact is that the building was 50% damaged by the avalanche and requires rehabilitation of the property. The structure needs to come into compliance with the existing zoning.

B. DISCUSSION: Consideration to Recommend Adoption of the 2024-2028 Village of Taos Ski Valley Infrastructure & Capital Improvement Plan (ICIP) to the Village Council

Planning Director Nicholson explained that this is a policy statement that the Village adopts every year for the listing and priorities of the infrastructure and Capital Improvement projects that are submitted to the NM Department of Finance Authority. This policy will enable the Village to seek funding from the legislature for Capital Outlay as well as other funding sources. Reports were presented on the 5-year plan. The list included 8 water projects, 3 wastewater projects, 13 Public Safety projects, 12 general government, and 12 Public Works Projects, for a total of 48. The deadline for the ICIP submittal is August 19, 2022.

MOTION: To Recommend Adoption of the 2024-2028 Village of Taos Ski Valley Infrastructure & Capital Improvement Plan (ICIP) to the Village Council.

MOTION: Commissioner Woodward **SECOND:** Commissioner Duffy **PASSED:** 7-0

VI. MISCELLANEOUS

A. Avalanche Hazard Assessment with Zoning Map Update

Planning Director Nicholson announced that the Village will have a regular meeting regarding the contact for the Village to

collaborate with an avalanche hazard professional to update the ordinance and zoning-mapping to reflect the latest hazard mapping.

Director Nicholson said that the Village has an overlay of zoning and avalanche zoning mapping that indicates areas of high-medium hazards. Areas and properties in these hazard zones will be required to have updated construction to mitigate the hazard. The Village cannot continue to have construction or allow properties to be in danger of a documented area of an avalanche threat, he said. These reports will show the threshold analysis of the threats indicated and to what degree.

B. ANNOUNCEMENT OF THE DATE, TIME, AND PLACE OF THE NEXT MEETING: The next meeting of the Planning and Zoning Commission will be September 12, 2022 at 1:00 pm. **(Note:** the next meeting was not held until November 14, 2022 at 1:00 p.m. via Zoom.)

VII ADJOURNMENT

MOTION: To Adjourn

Motion: Commissioner Duffy Second: Commissioner Woodard

Passed: 7-0