

**MINUTES
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
FEBRUARY 3, 2015 AT 6:00 PM
27 E. FRONTAGE ROAD, EDGEWOOD COMMUNITY CENTER**

1) Call to order-Roll call.

Chairman Gabel called the meeting to order at 6:00 PM.

Commissioners Present: Brad Gabel, John Carpenter, Leonard Navarre, Pat Markley

Commissioners Absent: None

Staff Present: Stephen Shepherd, Kay Davis-McGill, Robert White Attorney, Tracy Sweat

2) Approve Agenda.

Chairman Gabel indicated he would entertain a motion to approve the Agenda.

Commissioner Navarre pointed out an error to the date listed on the Agenda for approval of the Minutes and made a motion to approve the Agenda with the correction; his motion was seconded by Commissioner Carpenter.

Action: Chairman Gabel voted aye. Commissioner Carpenter voted aye. Commissioner Navarre voted aye. Commissioner Markley voted aye. The motion carried.

3) Approval the Minutes of 1/20/2015

Chairman Gabel noted two locations in which his name was misspelled and asked if there were any other corrections; hearing none he called for a motion.

Commissioner Navarre made a motion to approve the Minutes with the two corrections; his motion was seconded by Commissioner Markley.

Action: Chairman Gabel voted aye. Commissioner Carpenter voted aye. Commissioner Navarre voted aye. Commissioner Markley voted aye. The motion carried.

4) Findings of Fact for Request for Minor Subdivision Plat, Lot 1 and the Southeast Quarter (SE ¼) of the Northeast ¼ of Section 6, T10N R7E N.M.P.M., creating three lots from 78.60 acres, zoned R -1 Residential located at the SW corner of Nugent Road and Broken Arrow Trail.

Chairman Gabel reviewed this item for the Commission and Commissioner Carpenter that he would need to abstain from voting on this item since he was not in attendance.

Commissioner Markley made a motion to approve case number 2015-01 SU Minor Subdivision Plat located at 210 Nugent Road, Lot 1 and the Southeast Quarter (SE ¼) of the Northeast ¼ of Section 6, Edgewood NM. Commissioner Navarre seconded the motion.

Action: Chairman Gabel voted aye. Commissioner Markley voted aye. Commissioner Navarre voted aye. The motion carried.

- 5) Public Comment. Limit to 2 minutes per person. Note: If you plan to speak under Public Hearings, please do not sign up for a specific topic.

Mr. John Bassett discussed Agendas and requested they make an effort to have them available for the public well in advance of the meeting.

Chairman Gabel apologized stating he had not intended for the discussion regarding additions to the Minor Subdivision Plat requirements be added as an Agenda Item.

Mr. Bassett stated he would refrain from comment at this time and requested an opportunity later after the Commissions' discussion of the Subdivision Ordinance Minor Subdivision Plat requirements.

- 6) Matters from the Chair and Commission Members.

Chairman Gabel stated he had intended to revisit the discussion regarding the requirements for Minor Subdivision Plats; specifically two items that came up at the previous meeting.

The Commission, Staff and Mr. White entered into a discussion regarding interpretation of the portion of the Ordinance referring to the Plat format requirements, Section 8.A.1 and whether or not to add items to the list for Minor Subdivision Plats.

The Commission agreed to bring this back at the next meeting to draft a recommendation to the Council.

Chairman Gabel reminded the Commissioners to take care in their interactions with the Mayor and Councilors to avoid discussing any matters that have, or may come before them. It is important for the Mayor and Council to avoid ex-parte communication as they may be required to hear an appeal regarding a Commission decision.

Mr. White added another that the Commissioners should not be making site visits individually to properties with applications before them. All site visits should be conducted as a group.

Chairman Gabel asked Mr. White which Commission documents required the signature of both the Chairman and Secretary.

Mr. White responded that if there has been a standard of practice established they should continue on with it and consider formalizing the practice. The Commission can make the decision on how they want to proceed and then formalize it through their Rules of Conduct.

At this time Chairman Gabel offered to open the discussion to Mr. Bassett from the audience.

Mr. Bassett thanked the Chairman, but declined to comment.

Chairman Gabel asked if the Commissioners had any matters to discuss; none were heard.

7) Matters from Staff.

Discussion of Performance-Based Setback process and application.

Mr. Shepherd discussed the Performance Based Setback draft application and stated he would like feedback from the Commission for the application as well as the procedure itself.

Mr. White indicated he had looked at the four different areas that a Performance Based Setback could come into play. As the Ordinance is written all applications would come before the Commission but there is the instance of an individual lot being developed which would normally be handled administratively. He continued stating he had asked Vanessa to flag this for discussion with the Council. The role of the Commission does need to be clarified for each of the application types that may be associated with the Performance Based setback request.

Chairman Gabel suggested the Commission consider drafting a procedural guideline for processing a Performance Based Setback as they have for other applications.

Mr. White stated the approach to a Performance Based Setback will be similar to and type of special exception such as a variance or conditional use and is the mode of thinking they should apply to these applications. The idea is to allow flexibility to the code but not to violate the intent of the Ordinance. The decisions for these types of applications are very ad-hoc in nature.

Chairman Gabel asked if email addresses could be added to the application as well as a separate signature line for the applicants' agent.

Staff agreed these should be added to the application and offered to make these additions and bring back another draft for review.

The Commission, Staff and Mr. White discussed the inspections for setbacks and it was agreed staff would check with Santa Fe County Fire about the process for verifying compliance.

8) Calendar Update.

Chairman Gabel asked if there was a schedule for new appointments to the Commission.

Mr. Shepherd responded there would be an appointment tomorrow at the Council meeting, Mr. Dan Thompson.

Chairman Gabel asked if the swearing in of new Commissioners could take place at the Commission meetings as they had in the past. He asked if there were any applications slated for the next meeting.

Ms. Sweat responded there were none.

The Commission agreed to hold the next meeting on March 3, 2015.

9) Adjourn.

Commissioner Navarre made a motion to adjourn; his motion was seconded by Commissioner Carpenter.

Action: Chairman Gabel voted aye. Commissioner Carpenter voted aye. Commissioner Navarre voted aye. Commissioner Markley voted aye. The motion carried.

Chairman Gabel adjourned the meeting at 6:57 P.M.

Brad Gabel, Chairman

ATTEST:

Leonard Navarre, Secretary P & Z