

**TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION
MEETING MINUTES**

Planning & Zoning Minutes		
June 25, 2019	6:30 p.m.	171 A State Rd 344
1. CALL TO ORDER/ROLL CALL	<p>Chairman Glenn Felton opened the meeting at 6:31 p.m.</p> <p>In attendance: Commissioner Janelle Turner Commissioner Steven Foxe Commissioner Cheryl Huppertz Commissioner Jim Lee Commissioner Stephanie Herrera</p> <p>Absent:</p> <p>Staff in attendance: Tawnya Mortensen Tim Dvorak Carla Salazar</p> <p>Public in attendance/Signed in: Robert Marquez Theresa Marquez</p>	
2. APPROVAL OF AGENDA	<p>Chairman Glenn Felton entertained a motion for approving the Agenda.</p> <p>DISCUSSION: Tawnya Mortensen asked for Item #5 to be removed</p> <p>MOTION: Commissioner Turner; Motion to approve with the removal of Item #5</p> <p>SECOND: Commissioner Herrera</p> <p>VOTE: All aye</p> <p>ACTION: The motion to approve the Agenda with the removal of Item #5 carried.</p>	
3. APPROVAL OF MINUTES 6/11/2019	<p>Chairman Glenn Felton entertained a motion for approving the Minutes from 6/11/19.</p> <p>DISCUSSION: Commissioner Huppertz found a typo on page 3. The word was "time" but should have been "item".</p> <p>MOTION: Commissioner Huppertz: Motioned to approve the minutes with the changes that were discussed.</p> <p>SECOND: Commissioner Foxe</p> <p>VOTE: All aye</p> <p>ACTION: The motion to approve the Minutes with the changes from 6/11/19 carried.</p>	

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4. ACTION ITEM

Public Hearing	Application of Robert A. Marquez of a Conditional Use Permit for Secondary Quarters on 5.06 acres of TR A-4-R, T11N R7E SEC34 (41 Windswept Rd.) Edgewood, New Mexico.
	<p>Chairman Felton introduced the next item, read the legal description and explained quasi-judicial process. He then asked Tawnya Mortensen if all public notice had been given. She answered it had. Chairman Felton asked all Commissioners to affirm that they had no conflict of interest and no ex parte communication. Chairman Felton asked each Commissioner. There was not any ex parte communication or conflict of interest reported. Chairman Felton then swore in all who would give testimony. Chairman Felton asked Tawnya Mortensen to give her staff report. Ms. Mortensen reported that the secondary quarters would be on the same septic as the primary home, use the same road and driveway as the primary home and will obtain the necessary permits through CID. She also reported that the TAC (Technical Advisory Committee) met on June 18th, 2019 and found no issues with the proposed application for Conditional Use Permit for a secondary home. Chairman Felton asked the applicant to come forward with an opening statement. Robert Marquez explained the plans and where the home will be placed. He reported that they will be using a cluster system for the septic. He explained that the secondary home will have its own septic tank but will share the leach line with the primary home. Commissioner Lee asked if the leach field will go under the driveway. Mr. Marquez stated that the main sewer pipe will go under the driveway and connect to the primary septic and then both systems will empty into the same leach line. Chairman Felton stated that it is two tanks sharing a leach field. The information for the cluster system was given to the applicants by NMED in Albuquerque. Commissioner Huppertz asked if the main home was stick built or manufactured and if the surrounding homes in the neighborhood were manufactured. Mr. Marquez answered that their home was a manufactured home and there were others in the neighborhood as well. Commissioner Turner asked the applicant if York Septic had communicated if there would be a problem with flow to the second septic. Mr. Marquez answered that there wouldn't be a problem, but they may have to move some trees out of the driveway area. Commissioner Foxe asked if the home was on a permanent foundation or if it was a mobile home or modular. Mr. Marquez stated that he has made changes to the home to make it more like a stick-built home and it is on a permanent foundation. Commissioner Herrera asked if the secondary home would have its own utilities. Mr. Marquez explained that they would be tied in together. Tawnya Mortensen asked the applicant if they had any written response from NMED that she could get a copy of. Theresa Marquez did obtain a written response and will provide a copy to Ms. Mortensen.</p>

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Chairman Felton asked for the final staff report. Tawnya Mortensen read the final report which stated: "This proposed application for a Conditional Use Permit for Secondary Quarters meets all requirements for Secondary Quarters in R2 Zoning as stated in the Town of Edgewood Zoning Ordinance 2018-08. Staff recommends approval; however, the applicant must provide a letter and permit from NMED proving that modification of the septic system has been completed or that the current septic system is large enough to hold a second dwelling." Commissioner Huppertz asked if this type of septic system, a cluster system, is the best way for the applicant to go since we did not have anything in our ordinance that lists types of septic systems. Ms. Mortensen stated that may have been a mistake on our part since we didn't find out what types of modifications there are. She added that since this recommendation came from NMED, then it must be the best way for them to go. It was discussed further that a list of modifications or septic systems will be added to the Zoning Ordinance later.

Chairman Felton closed the Public Hearing. Commissioner Foxe stated that he looked at an aerial view and it appears they have plenty of room and the secondary home will fit well in the neighborhood. Commissioner Turner agreed and added that it fits with the intent of the Ordinance and agrees with the applicant that we need to hear more about the cluster system and add it to the Ordinance. She added that everything is in order as far as the Ordinance goes. She asked Ms. Mortensen if she is recommending a conditional approval based on correspondence from NMED. Tawnya answered yes. Commissioner Lee stated that this application seems to go right with what is written in the Ordinance. Tawnya agreed that it does and that is the reason that the staff reports reflects that.

MOTION: Commissioner Huppertz: Motion to approve the Conditional Use Permit for Robert A. Marquez for secondary housing on 41 Windswept Rd.

DISCUSSION: Commissioner Turner asked Commissioner Huppertz if she could offer a friendly amendment to her motion. Commissioner Huppertz allowed it. Commissioner Turner added that we include that the approval be conditional upon the applicants providing a letter or permit from NMED showing that the modifications have been completed.

SECOND: Commissioner Foxe

ROLL CALL VOTE: Commissioner Foxe - Aye

Commissioner Herrera - Aye

Commissioner Huppertz - Aye

Commissioner Turner - Aye

Chairman Felton - Aye

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5. ACTION ITEM	
Appeal of Record	Removed from Agenda at beginning of meeting
6. DISCUSSION ITEM	
Section 8	Development Review
	Chairman Felton introduced the next item and asked staff to begin. Tawnya Mortensen took the Commissioner through the changes that were being proposed. Changes included adding language for driveway width and length, site plan stipulations, language for Technical Advisory Committee and Duration/Forfeiture of Permits. No action was taken.
8. PUBLIC COMMENT	
	None
8. MATTERS FROM THE CHAIR AND COMMISSION MEMBERS	
	None
9. MATTERS FROM THE STAFF	
	July 12 th parliamentary training is still up in the air.
10. CALENDAR UPDATE	
	Next P&Z Meeting will be on 7/9/2019 Discussion/Action Item - Industrial Zone Discussion Item - Reference Guide Action Item - Findings of Fact Discussion - Development Review
11. ADJOURN	
	Chairman Felton entertained a motion to adjourn. MOTION: Commissioner Turner; Motion to adjourn SECOND: Commissioner Foxe VOTE: All voted aye ACTION: Meeting adjourned at 7:33 p.m.



Glenn Felton, Chairman



Cheryl Huppertz, Commission Secretary