

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

Planning & Zoning Minutes		
July 9, 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:                 None</p> <p>Staff in attendance: Tawnya Mortensen                               Tim Dvorak</p> <p>Public in attendance/Signed in: None</p>	
2. APPROVAL OF AGENDA	<p>Chairman Glenn Felton entertained a motion for approving the Agenda.</p> <p>DISCUSSION: None</p> <p>MOTION: Commissioner Huppertz; Motion to approve the agenda.</p> <p>SECOND: Commissioner Herrera</p> <p>VOTE: All aye</p> <p>ACTION: The motion to approve the Agenda carried.</p>	
3. APPROVAL OF MINUTES 6/25/2019	<p>Chairman Glenn Felton entertained a motion for approving the Minutes from 6/25/19.</p> <p>DISCUSSION: Commissioner Huppertz found a typo on page 3. The word was “off” but should have been “offer”. Commissioner Turner found a mistake on page 1. A line space was needed between “Absent” and “Staff in attendance”.</p> <p>MOTION: Commissioner Herrera: 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 6/25/19 carried.</p>	

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PLANNING & ZONING COMMISSION  
MEETING MINUTES**

**4. ACTION ITEM**

<b>Findings of Fact &amp; Conclusions of Law</b>	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.
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	<p>Chairman Felton introduced the next item, read the legal description and asked Tawnya Mortensen if there was any explaining that needed to be added. Tawnya stated that if the Commissioners saw anything that wasn't correct to identify what needed to be changed. Commissioner Turner asked if the condition that was placed needed to be added. Tawnya agreed that it should be added and that she would make that change.</p> <p><b>MOTION:</b> Commissioner Huppertz: Motion to approve Findings of Fact and Conclusions of law for the application of Robert A. Marquez of a Conditional Use Permit based upon the provision that the documentation from NMED be added to the document.</p> <p><b>SECOND:</b> Commissioner Foxe</p> <p><b>DISCUSSION:</b> None</p> <p><b>VOTE:</b> All aye</p> <p><b>ACTION:</b> The motion to approve the Findings of Fact and Conclusions of Law with the required documentation from NMED carried.</p>
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**5. ACTION ITEM**

<b>Appeal of Record</b>	Changes in the Zoning Ordinance and Subdivision Ordinance
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	<p>Chairman Felton introduced the next item and Tawnya Mortensen took the Commissioners through the changes that the Town Attorneys provided. The changes were to add language to the Appeal Section of the Zoning Ordinance and the Appeal Section of Preliminary Plat in the Subdivision Ordinance that gives the Town Council an option to remand an application back to Planning and Zoning. A brief discussion ensued and Chairman Felton entertained a motion.</p> <p><b>MOTION:</b> Commissioner Turner; Motion to forward the recommendation to Town Council as presented to us for Appeals of Record for the Subdivision Ordinance and the Zoning Ordinance with the recommendation of the adoption of these provisions to Town Council.</p> <p><b>SECOND:</b> Commissioner Foxe</p> <p><b>VOTE:</b> All aye</p> <p><b>ACTION:</b> The motion for recommendation of adoption of Appeal of Record in the Subdivision Ordinance and Zoning Ordinance carried.</p>
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TOWN OF EDGEWOOD  
 PLANNING & ZONING COMMISSION  
 MEETING MINUTES

6. DISCUSSION ITEM	
Section 8	Development Review
	<p>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 additional language for Duration/Forfeiture of Permits and removing wording for "Tiny Homes." Language added:</p> <p><b>A. Duration/Forfeiture of Permit:</b> Permits shall expire within one year of being approved. If a project is not initiated within six (6) months of time or there is a work stoppage that exceeds ninety (90) days, the permit for said project shall be revoked and a new development review process must be initiated by the applicant. If the applicant can provide proof of a substantial construction delay, an exception may be granted by the Planning and Zoning staff; however, if construction does not resume after the delay is documented to be over, the development permit shall be revoked. If a construction site is determined by the Planning and Zoning Department to be abandoned, the current development permit shall be forfeited immediately and a cease and desist sign shall be placed on the property. Both the permit holder and property owner shall be notified. If the Planning and Zoning Department is not contacted by any responsible party of the property after the project has been deemed abandoned, the issue may go to resolution before the Town of Edgewood Governing Body and upon approval a lien may be placed on the property to remove the existing structures and materials.</p> <p>No action was taken.</p>
7. DISCUSSION ITEM	
Section 23	Industrial Zone
	<p>Chairman Felton introduced the next item and asked staff to begin. Tawnya Mortensen took the Commissioners through the changes that were being proposed. Changes included adding additional language under Purpose, removing some permissive uses to conditional, and revisiting the language regarding the TAC. The change that was added is in blue:</p>

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MEETING MINUTES**

Purpose. This district is intended to provide for light manufacturing fabricating, assembly, disassembly, processing, and treatment activities conducted in a manner not detrimental to the rest of the community by reason of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious materials, odors, fire, explosive hazards, biohazards, or glare or heat.

No action was taken.

**8. COMMISSIONERS REFERENCE GUIDE**

This document is a guide that is solely used by the Planning and Zoning Commissioners and does not require an update to an Ordinance or Resolution or be approved by the Town Council. The Commissioners worked on updating language.

**9. PUBLIC COMMENT**

None

**10. MATTERS FROM THE CHAIR AND COMMISSIONERS**

Commissioner Huppertz discussed a possible issue with Secondary Quarters becoming rentals.

**11. MATTERS FROM THE STAFF**

Parliamentary Training will be on Aug 16, 2019 from 11:00 a.m. to 5:00 p.m. with lunch provided.

Training from Mr. Campbell may be on July 23 during the P & Z Meeting

**12. CALENDAR UPDATE & FUTURE AGENDA ITEMS**

- Next P&Z meeting 7/23/19
- Discussion/Action Development Review
- Discussion/Action Industrial Zone
- Public Hearing for Zone Change - postponed
- Discussion Reference Guide

**13. ADJOURN**

Chairman Felton entertained a motion to adjourn.

**MOTION:** Commissioner Turner

**SECOND:** Commissioner Foxe

**VOTE:** All aye

**ACTION:** Meeting adjourned at 8:33 p.m.

TOWN OF EDGEWOOD  
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MEETING MINUTES

Janelle Turner  
Glenn Felton, Chairman Janelle Turner, Vice Chair

Cheryl Huppertz  
Cheryl Huppertz, Commission Secretary