

1
2
3 **MINUTES OF A REGULAR MEETING**
4 **OF THE PLANNING & ZONING COMMISSION**
5 **OF THE TOWN OF BERNALILLO**
6 **HELD AT THE TOWN HALL**
7 **AUGUST 4, 2009**
8

9 The Planning & Zoning Commission of the Town of Bernalillo met in Regular Session
10 within the laws and rules of the Town on August 4, 2009 at 6:30 pm.
11

12 Commissioner Debbie Kilfoy, Chairman
13

14 **Applicants / Members of Public Signed In:**
15

16 Melida Leeper
17 John Goodro
18 Gary Gritsko
19 Mike Moloney
20 Mary Kwapich
21 Steve Amiot
22

23 Otyhers not signed in, and Mr. Moe - the Planning & Zoning Director, and
24 Tawnya Mortensen – the Planning & Zoning Assistant, were also present.
25

26
27 **1. CALL TO ORDER**
28

29 Chairman Kilfoy called the meeting to order at approx. 6:30 pm, and led those
30 attending in a recitation of the Pledge of Allegiance.
31

32
33 **2. ROLL CALL**
34

35 Commissioner Debbie Kilfoy	Present
36 Commissioner Tom Wilson	Not Present at first, came in 2min 37 late
38 Commissioner Georgina Chavez	Present
39 Commissioner Cipriano Montoya	Present
40 Commissioner Robert Satriana	Not Present
41 Commissioner Rita Last	Present
42 Commissioner Christopher Hyer	Present

43
44 A quorum was present.
45
46
47
48

1 **3. APPROVAL OF AGENDA**

2
3 The Chairman asked if all Commissioners had reviewed the Agenda, and asked if
4 there were any changes to propose. Commissioner Chavez requested that two
5 discussion items be added to the Agenda: 1) the status of the Piedra Lisa Item
6 from the last meeting, and 2) a follow-up on Gonzales Stake Business. No other
7 changes were proposed.

8
9 The Chairman entertained a motion to approve the Agenda as amended.
10 Commissioner Last so moved. Commissioner Hyer seconded the motion. All
11 voted aye. The motion was carried.

12
13
14 **4. APPROVAL OF MINUTES**

15
16 The Minutes for July 7, 2009 were submitted for approval. The Chairman called
17 for corrections. Commissioner Chavez pointed out on 1.) Page 5, line 27: it should
18 have read “to approve” rather than “to deny.” 2.) Page 10, line 18: should read
19 “what would happen if” rather than “what would happen of”. The Chairman
20 entertained a motion to approve the minutes of July 7, 2009 as amended.
21 Commissioner Hyer so moved. Commissioner Wilson seconded the motion.
22 Commissioner Montoya was against approving the minutes because of the Piedra
23 Lisa issue. All voted aye except for Commissioner Montoya, who voted nay.
24 The motion to approve as amended was carried.

25
26
27 **5. REPORTS**

28
29 a) **Next Meeting**

30 Mr. Moe informed the Commission that their next regular meeting was scheduled
31 for September 1, 2009. All Commissioners voiced their assent. Commissioner
32 Hyer also informed the Commission that he would be absent for the probable date
33 of the October meeting.

34
35 b) **New Departmental Employee**

36 Mr. Moe Mr. Moe introduced Tawnya Mortensen as the new Assistant Planner for
37 Planning & Zoning.

38
39
40 **6. ACTION ITEMS**

41
42 a) **Conditional Use Permit – Home-Based Business, Home Office (Melida Leeper, Applicant)**

43 Applicant requests approval of a Conditional Use Permit for a home-based business (home
44 office for an administrative assistant) on Lot 2, Lands of Leeper, within T13N R4E SEC32
45 NMPM, Bernalillo, New Mexico: aka 442 Melissa Rd.

46
47 The Chairman introduced the item to the Commission, and asked the applicant to
48 present his/her request. Melida Leeper came forward, and briefly explained her
49 home-based business. Ms. Leeper explained that her business would be out of her

1 home and that she would be making phone calls and doing some computer work
2 for a psychologist. The Chairman asked if there would be in traffic to her
3 business and she said there would not be traffic and she would not have
4 employees.

5
6 The Chairman entertained a motion. Commissioner Hyer motioned to approve,
7 Commissioner Chavez seconded the motion. All voted aye. The motion to
8 approve was carried.

- 9
10
11 b) **Summary Plat – Re-Plat / Lot Line Adjustment (John Goodro, Applicant):** Applicant
12 requests approval for a lot line adjustment between Lots 2 & 3, Sierra Vista subdivision,
13 within T13N R4E SEC 29 & SEC 30 NMPM, Town of Bernalillo, New Mexico: aka 213 Sierra
14 Vista Ct.

15
16 The Chairman introduced the item to the Commission, and asked the applicant to
17 present his/her request. Mr. Goodro came forward and briefly explained his
18 desire to combine his lot and his neighbors lot. Commissioner Hyer was
19 concerned with what the neighbor felt about this since there was no one present to
20 speak for him/her. Mr. Goodro stated that the neighbor was fine with the
21 adjustment and is being compensated for it as well. Mr. Moe then spoke up to
22 explain that on the final plat, the neighbor would have to sign off on it before it
23 would be recorded.

24
25 The Chairman entertained a motion. Commissioner Wilson motioned to approve
26 the request. Commissioner Last seconded the motion. All voted aye. The motion
27 to approve was carried.

- 28
29
30 c) **Summary Plat – Lot Split – Lots Tract B, Lands of Roger and Nancy Deaver, Placitas**
31 **(Gary Gritsko, Alpha Surveying Agent):** Applicant requests approval of a Lot Split for Tract B
32 of the Lands of Roger and Nancy Deaver, within T13N R4E SEC 27 & SEC 35 NMPM,
33 Sandoval County, New Mexico

34
35 The Chairman introduced the item to the Commission, and asked the applicant to
36 present his request. Gary Gritsko came forward and explained the nature of the
37 Summary Plat and apologized for failing to explain at the last P&Z meeting that
38 there was a way to make both lots one acre. Commissioner Chavez asked Mr.
39 Moe what his opinion was on the lot split. Mr. Moe explained he was against the
40 lot split due to the concern of the future problems that too many septic tanks will
41 have on the area. More discussion went on regarding how level the area is.

42
43 The Chairman entertained a motion. Commissioner Wilson motioned to approve
44 the request. Commissioner Last was against due to the concern with septic
45 saturation. Commissioner Chavez seconded the motion. All voted aye except for
46 Commissioner Last, who voted nay. The motion to approve was carried.

1 **7. DISCUSSION ITEMS**
2

3 a) **Piedra Lisa**

4 Commissioner Chavez began the discussion, by requesting an update on the status of
5 the Item from the last P&Z meeting. Mr. Moe informed the Commission that an
6 appeal had been filed by the applicant, but a hearing on the matter had not yet been
7 scheduled. He further related that he had just had a meeting earlier in the day with
8 the Town's Attorney to discuss matters relevant to the appeal.
9

10 The discussion then opened-up to the larger issue of the Commission's authority and
11 relevance in planning & zoning decisions within the Town. Mr. Moe informed the
12 Commission that he had raised this very point with the Town's Attorney, and that it
13 was important that a discussion of the matter take place between the Commission,
14 Council, and Administration in order to resolve differences, and come to a working
15 accommodation that all groups would be satisfied with. The Commissioners
16 expressed a willingness to so do.
17
18

19 b) **Gonzales – (Stake Business)**

20 Commissioner Chavez requested an update on the Gonzales' wood stakes business on
21 RailRoad Track Road, which had been denied a Conditional Use Permit by the
22 Commission at its regular meeting of June 2, 2009. Mr. Moe informed the
23 Commission that Mr. Gonzales had been given approx. 60 days (until August 1st) to
24 either find a new appropriate location for his business, or to cease operation and clean
25 the site of all business materials. As this had not been done, the Code Enforcement
26 Officer had already begun taking photographs as evidence and was preparing to send
27 the matter to Municipal Court for adjudication.
28
29
30

31 **8. ADJOURNMENT**
32

33 Commissioner Chavez moved to adjourn. Commissioner Hyer seconded the
34 motion. All voted aye. The Motion carried and the meeting adjourned at 7:12 pm.