

MINUTES
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
April 16, 2018 AT 6:00 PM
27 E. Frontage Rd Community Center

1) **Call to Order-Roll call.**

Chairman Stanton called the meeting to order with a roll call at 6:00 P.M.

Commissioners Present: Commissioner Cheryl Huppertz, Commissioner James Lee,
Commissioner Glenn Felton

Commissioners Absent: None

Staff Present: Tawnya Mortensen, Michelle Schmidt

Public Present and signed in:

Mike Lenz

John Rhoderick – NMED

Levi Cole

Janelle Turner

Leon Richter

Eugene Barela

2) **Approval of Agenda.**

Chairman Stanton asked for a motion to approve the agenda. Commissioner Huppertz motioned to approve the agenda with Commissioner Lee seconding the motion. All voted aye.

Action: The Agenda was approved unanimously.

3) **Approval of the Minutes of 4/2/18**

Chairman Stanton asked if there were any changes or corrections to the Draft Planning & Zoning Minutes for April 2, 2018. Tawnya Mortensen informed the Chairman that there was a mistake that was caught after the printing of the packets where Commissioner Felton's name was left off a roll call vote and Commissioner Lee was shown as voting twice. She added that she had made the correction and has the corrected copy with her. Chairman Stanton entertained a motion.

Commissioner Felton motioned to approve the minutes from April 2, 2018 with the corrected changes. Commissioner Lee seconded the motion. All voted aye.

Action: The Minutes of April 2, 2018 were approved.

4) **Findings of Fact and Conclusions of Law - Findings of Fact and Conclusions of Law on the application of Don and Julia Wood for a Subdivision (1 lot into 4) of 15 acres at NE ¼ of SE ¼ and N ½ SE ¼ SE ¼ of NE ¼, Edgewood Estates, T10N R7E SEC 27 NMPM, Edgewood, Santa Fe County, New Mexico (aka 61 Pinon Rd)**

Chairman Stanton introduced the next item and gave the Commissioners time to look it over for accuracy. With no changes, Chairman Stanton entertained a motion. Commissioner Huppertz motioned to approve the Findings of Fact and Conclusions of Law with Commissioner Felton seconding the motion. All voted aye.

Action: The motion to approve the Findings of Fact and Conclusions of Law were approved.

5) Discussion Item: Changes to R1, R2 and R5 Secondary Quarters

Chairman Stanton introduced the next item on the agenda asked the staff to begin. Tawnya Mortensen began by asking the guests to introduce themselves that had come to speak on different issues regarding proposed changes. Guests in attendance were John Rhoderick – NMED, Levi Cole – NMED, Mike Lenz – CID, Maida Rubin – MRCOG, Sandy Gaiser – MRCOG and Eugene Bassett – EC Bassett Construction.

Tawnya Mortensen – Explained that a Town Council member felt that the changes that were being proposed were causing concern so that was the reason for bringing in back to look at the changes more in depth. She went on to ask NMED what problems will arise if there are two households on one septic on a lot that is a little less than one acre and the secondary structure has one bedroom, bathroom, kitchen and washer/dryer.

John Rhoderick – Systems are sized by the number of bedrooms in the dwelling which breaks down to two people in the first bedroom, two people in the second bedroom and one in the third bedroom. This will give you a total design flow of 375 gallons. Then we have to look at lot size to determine what the maximum flow is they can have on that lot. By regulation, you are allowed 500 gallons per acre which is a daily design flow. A smaller lot will mean a lower maximum of flow. The other things that will factor in are the usage. Commercial and Industrial will have a different strength of waste than what residential will have. The individual lot characteristics, the slope of the ground, and the soil type will impact the ability to applying liquid waste, the effluent on that lot. So, if there's an existing system can you add something else on to it? The answer is no, unless you are lucky enough to have a bigger system in the first place. If you are talking about adding onto the system a bedroom, kitchen, and bathroom, you are actually adding on another house. So that house gets sized based on the regulations depending on the number of bedrooms. If you have a one-bedroom home is 150-gallon additional design flow. The odds are that the existing system are not going to be designed for that and if it's an older existing system they are under sized for what is required. If you start adding on to those, in addition to violating the permit that they are operating under, if they have one, then the system will fail. It is not designed to handle the amount of flow that you are putting in there. A fail in sandy soil may not start backing up but the system is designed with a tank and a drain field, and the initial treatment of the liquid waste occurs in the tank and if you have too much flow going in it short circuits the system and send the effluent into the drain field before the treatment inside the tank has occurred which is bacteria breaking things down. If you are in good sandy soil with a 375-gallon design flow, the drain field will be designed to withstand double that amount (750 sq ft drain field). If you start pushing more into that drain field than it's designed to handle, it is either going to kill the drain field, meaning it has to be replaced or if you have sandy soil then you will create an environmental problem since the effluent isn't being cleaned up inside the tank. Keep in mind that if the tank size changes, the drain field changes. This may be restricted by lot size and it may be restricted due to setbacks. The only way to deal with these types of issues is on a case by case basis. You can get into advanced treatment systems where you can create more flow on the lot but you also increase the cost.

Tawnya Mortensen: Is there ever an instance where two septic tanks are allowed on the property and what size would that property need to be?

John Rhoderick – It's actually done quite often and there's no maximum/minimum lot size, it's done with a conventional septic system which is a tank and a drain field and typically gravity fed and you have to have a minimum of $\frac{3}{4}$ of an acre. With a one-acre lot, you are locked into a minimum of 500 gallons per day design flow. It varies based on how big the actual lot is. Dual

tanks are put in quite often and systems can be replaced with dual tanks to an existing drain field. It all depends on the set up of the lot.

Sandy Gaiser - The 375 gallons per day is based on a three-bedroom home. If you added on another bedroom at the 150 gallons per day, then you're at 525 gallons per day so you've exceeded that 500 gallons per day limit. Would you have to go to a bigger lot size to increase to the bigger leach field?

John Rhoderick - Correct. An attached bedroom will increase the GPD to 440, whereas a detached bedroom with a bathroom and possibly kitchen will exceed the 500 GPD that is allowed. Because what you now have is another house.

Eugene Bassett - You can add on a fourth bedroom when it's an acre but you can't if it's $\frac{3}{4}$ of an acre. When you have the fourth bedroom on $\frac{3}{4}$ of an acre, you have to put in advanced treatment. When you go to a fourth bedroom on an acre you have to get a modification permit and you can keep the septic tank in there if it's in good shape but a modification permit will be required to add onto the drain field.

Tawnya Mortensen - Mr. Bassett, you were telling me in the office the other day that in the area that we have recently zoned R5, the septic tanks over there are smaller septic tanks.

Eugene Bassett - Right. Most of them are old. If you have a three bedroom over in that area and want to add on a 4th you'll still need a modification permit in order to extend the drain field and bring it up to today's standards.

John Roderick - Continued explaining the cost and the differences between a regular septic system and an advanced treatment system.

Commissioner Huppertz - asked if you have .88 acres if you'd be able to put two systems on there.

John Roderick - replied that it still depends on how many bedrooms are associated with the lot. Each instance would be reviewed on a case by case basis. There's a review on every application.

Chairman Stanton - asked what issues the Town Council had with what was proposed.

Tawnya Mortensen - answered saying that they didn't like that R5 wasn't allowed to have secondary quarters at all. Tawnya then asked that before they move on she wanted Mike Lenz to explain to the Commissioners on how there is a certain way that one would add on to a Manufactured Home.

Mike Lenz - Explained to everyone that if a person was to add on to a manufactured home, which is a federal regulation, there needs to be a two-inch separation and there cannot be a direct attachment to the manufactured home. If it's a modular, it can be attached directly to it. The roof can be attached but not the wall.

A brief discussion continued.

Commissioner Felton - suggested that we have all secondary quarters in all residential zones be under a Conditional Use Permit. A brief discussion ensued and all agreed.

Tawnya Mortensen - said she would make the changes and bring it back to the next P&Z meeting.

6) Discussion Item - Mining Section Changes in Zoning Ordinance

Chairman Stanton introduced the next item and asked staff to present. Michelle Schmidt began explaining that this is rough draft but we have added a lot more onto this section than what was originally there. She asked that the Commissioners look it over and bring back anything they want to see changed or added. Leon Richter asked to speak. He had many questions that were all

answered by Ms. Schmidt explaining that this is merely a rough draft and we aren't close to having anything nailed down. The Commissioners will come back with any additions at the next meeting.

7) Discussion Item – Road Surfacing Priority List

Chairman Stanton introduced then next item and asked staff to present. Tawnya Mortensen explained what was in the packet and asked the Commissioners to decide what they would like they request to say when she presents it to Town Council. There were questions about cost for paving vs. chip seal. Tawnya said she would ask Juan Torres and Norton Henniger to come to the next meeting to answer the questions that she and Michelle were unable to ask.

8) Public Comment – None

9) Matters from the Chair and Commission Members – None

10) Matters from the Staff – Tawnya reminded everyone about the upcoming MRCOG workshop.

11) Calendar Update & Future Agenda Items –

The next meeting will be May 7, 2018 at 6:00 pm. At this meeting, the P&Z Commission will hear Ordinance changes on the Mining Section, Residential Zoning Discussion and Sign Ordinance Changes and Road Priority List.

12) Adjourn - Chairman Stanton entertained a motion to adjourn. Commissioner Huppertz motioned to adjourn with Commissioner Lee seconding the motion. All vote aye. The motion to adjourn at 8:15 pm was approved.



Lorenzo Stanton, Chairman

ATTEST:



Cheryl Huppertz, Commissioner Secretary