

**AGENDA
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
MARCH 15, 2016 AT 6:00 PM
EDGEWOOD COMMUNITY CENTER
27 E. FRONTAGE ROAD, EDGEWOOD, NM 87015**

The Town of Edgewood Planning & Zoning Commission is pleased to have residents of the community take time to attend commission meetings. Attendance and participation is encouraged. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared. Public comments may not be disruptive or harassing, and all persons are expected to maintain respect and decorum. Accordingly, rude, slanderous, or abusive comments and/or boisterous behavior will not be permitted. Written comments are welcome and should be given to the town administrator prior to the start of the meeting.

- 1. CALL TO ORDER & ROLL CALL.**
- 2. APPROVAL OF AGENDA.**
- 3. APPROVAL OF MINUTES.**
 - A. Draft Planning & Zoning Commission Meeting Minutes of February 16, 2016
- 4. ORGANIZATIONAL MEETING**
 - A. Election of Officers
- 5. PUBLIC COMMENT: (Limited to 2 minutes per person)**
- 6. PUBLIC HEARING**
 - A. Request For Approval Of A Final Plat for a four (4) lot subdivision of 10 acres located on East High Meadow Loop in the Mountain Meadows Subdivision, Unit 2, Tract C-5-R-3, of the Lands of the Maguire Family Trust, S ½ of the NE 1/4, Section 3, T10N, R7E, Town Of Edgewood, Santa Fe County, N.M.P.M.
- 7. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDED ORDER.**
 - A. Variance Request to use a greater amount of square footage than allowed by a RS-Residential Services zoning designation for retail business activities at the property located at: 92B Church Street: Tract C, 2.26 acres of the Lands of Gervais & Patricia Williams, Section 27, T10N, R7E, Town of Edgewood, Santa Fe County NM, N.M.P.M.
- 8. MATTERS FROM THE CHAIR AND COMMISSION MEMBERS.**
- 9. MATTERS FROM STAFF.**
 - A. Training
- 10. CALENDAR UPDATE AND FUTURE AGENDA ITEMS.**
 - A. Request for Zone Change: 88, 92B, and 92C Church Street
- 11. ADJOURN.**

A copy of the agenda may be obtained at the Town Office, 1911 Historic Route 66 during regular business hours of 8:00 am - 5:00 pm. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Town Clerk at 505-286-4518 at least one week prior to the meeting or as soon as possible.

**DRAFT MINUTES
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
FEBRUARY 16, 2016 AT 6:00 PM
EDGEWOOD COMMUNITY CENTER
27 E. FRONTAGE ROAD, EDGEWOOD, NM 87015**

1. CALL TO ORDER & ROLL CALL.

Madame Chair McGill called the meeting to order at 6:00 pm and asked for Roll Call. Commissioners present were: Madame Chair McGill, Commissioner Markley and Commissioner Bryant. Commissioners not present: Vice Chairman, Dan Thompson, and Secretary, Cheryl Huppertz.
Also present were: Steve Shepherd, Town Administrator and Bonnie Pettee, Planning & Zoning

2. APPROVAL OF AGENDA.

MOTION: Commissioner Markley made a motion to approve the agenda as presented.
Commissioner Bryant seconded the motion.

VOTE: Commissioner Markley voted aye. Commissioner Bryant voted aye. Madame Chair McGill voted aye. The motion carried.

3. APPROVAL OF MINUTES.

A. Draft Planning & Zoning Commission Meeting Minutes of February 2, 2016

Mr. Shepherd noted that there was an error in the Minutes and asked Ms. Pettee to explain where the mistake had been made.

Ms. Pettee stated the mistake was made in a paragraph regarding Mountain Meadows Subdivision and has since been corrected.

MOTION: Commissioner Bryant made a motion to approve the minutes of February 2, 2016 with the corrections. Commissioner Markley seconded the motion.

VOTE: Commissioner Markley voted aye. Commissioner Bryant voted aye. Madame Chair McGill voted aye. The motion carried.

4. PUBLIC COMMENT: (Limited to 2 minutes per person)

There were none.

5. PUBLIC HEARING

A. Variance Request to use a greater amount of square footage than allowed by a RS-Residential Services zoning designation for retail business activities at the property located at:

92B Church Street: Tract C, 2.26 acres of the Lands of Gervais & Patricia Williams, Section 27, T10N, R7E, NMPM, Santa Fe County, Edgewood, NM.

Madame Chair McGill briefly explained the process for the Public Hearing. She asked if the Public Notice has been published as required.

Ms. Pettee confirmed that the notice had been published as required.

Commissioner Markley stated he had no conflict of interest or ex-parte communication.
Commissioner Bryant stated he had no conflict of interest or ex-parte communication.
Madame Chair McGill stated she had no conflict of interest or ex-parte communication.

Commissioner Huppertz arrived at this time.

Commissioner Huppertz stated she had no conflict of interest or ex-parte communication.

Mr. Clay Williams, applicant and Ms. Bonnie Pettee, staff, were sworn in for testimony.

Ms. Pettee presented the staff report. She stated the subject property contains an existing 8,000 square foot building that has been previously used for commercial businesses. The RS-Residential and Services zoning allows for the operation of small businesses up to 3,000 square feet, or multi-purpose convenience type stores or medical buildings up to 6,000 square feet. The applicant is requesting a variance of up to 12,000 square feet to open a neighborhood market place. The extra square footage would allow him to use the full building, and include a new pole barn on the rear of the property to use when the weather permits.

Ms. Pettee noted that at the last Planning and Zoning meeting, the Commission reviewed and approved RS- Residential and Services for the adjacent properties to the north and southeast, (Tracts A, C, & D of same plat.) She stated that in preparation of the Findings of Fact, Conclusions of Law, and Final Order, it was discovered that these lots were not eligible for RS zoning, as they do not meet the minimum lot size requirement of 1 acre. Mr. Williams has withdrawn his application for this zone change. The zone change does not affect this variance.

She concluded by stating that allowing the extra square footage will not be detrimental to the value of the surrounding properties. It will not impair the integrity or character of the zoning district. The proposed use and requested variance is consistent with the intent and purpose of the Zoning Ordinance and, therefore, staff recommends approval.

Mr. Clay Williams, the applicant gave a brief history of the property and businesses his father operated there. He said he would like to reuse the building for another business. He hoped his marketplace would benefit the community and the nearby Senior Citizens Center.

Madame Chair McGill inquired as to whether he would be using the existing structure or building a new one.

Mr. Williams replied that he will build a new pole barn about ten feet behind the existing building. He will utilize both buildings for his proposed marketplace. He is currently working to bring the existing building up to fire code and install the sales booths.

Commissioner Markley inquired about conversations with the Fire Department.

Mr. Williams stated that he has met with Renee Nix from the Fire Department, and he is doing what they recommended. He will not be required to install sprinklers, only smoke detectors.

Commissioner Bryant asked why he did not seek Commercial zoning.

Mr. Williams stated that it was originally Commercial zoning. When the property was annexed into the Town, the Commission changed the zoning to RS-Residential and Services.

There were no questions or comments from the Public.

Mr. Williams expressed his thanks to the Commission and staff for their patience. He realizes this is an ongoing process and knows the Commission will come to a reasonable decision. He added it would be a good thing to have something to do in Edgewood on the weekends and avoid the trip to Albuquerque.

MOTION: Commissioner Markley made a motion to approve the request for a variance to use a greater amount of square footage than allowed by a RS-Residential and Services zoning designation for retail business activities at the property located at:
92B Church Street – Tract C, 2.26 acres of the Lands of Gervais & Patricia Williams, Section 27 T10N R7E NMPM, Santa Fe County, Edgewood, NM.
Commissioner Huppertz seconded the motion.

Mr. Shepherd suggested the amount of square footage be added to the motion.

MOTION: Commissioner Markley amended his motion to include the 12,000 square feet requested. Commissioner Huppertz seconded the motion.

VOTE: Commissioner Markley voted aye. Commissioner Bryant voted aye. Commissioner Huppertz voted aye. Madame Chair McGill voted aye. The motion carried.

6. FINDINGS OF FACT & CONCLUSIONS OF LAW.

- A. Request For Approval Of A Preliminary Plat for a four (4) lot subdivision of 10 acres located in the Mountain Meadows Subdivision, East High Meadow Loop, Unit 2, Tract C-5-R-3, Lands Of the Maguire Family Trust, S 1/2, NE 1/4, Section 3, T10N R7E, Town Of Edgewood, Santa Fe County, N.M.P.M.

Madame Chair McGill asked the Commissioners if they had reviewed the Findings of Fact for the Preliminary Plat and if they had any questions.

Commissioner Huppertz asked for clarification on what the Findings of Facts were.

Mr. Shepherd explained that this is a “final order” of what was decided at the meeting regarding the case. We record the priorities of the case and the conditions of approval and are required to bring this to Commission to be signed. This is the final step in the process. Commissioner Markley stated that this is the official legal document that goes into the file. Mr. Shepherd confirmed that was correct.

7. DISCUSSION & SUGGESTIONS FOR AMENDMENTS TO ORDINANCES.

Mr. Shepherd explained that he was not able to prepare something for this segment of tonight’s meeting. He will be bringing something forward on “Noticing” at the next meeting. He explained to the new Commissioners that these changes were brought about due to inconsistencies in the various Ordinances. The Early Notification Ordinance will probably go away, and those notification requirements will be consistent within each of the applicable ordinance.

8. MATTERS FROM THE CHAIR AND COMMISSION MEMBERS.

There were no comments from Commissioners.

Madame Chair McGill inquired about training for the new Commissioners.

Mr. Shepherd replied that staff could schedule Attorney White to speak to the Commissioners at a future meeting.

Ms. Pettee replied there is also the New Mexico Municipal League for Zoning Officials coming up in May. She will let everyone know the details as soon as they are available.

9. MATTERS FROM STAFF.

None.

10. CALENDAR UPDATE AND FUTURE AGENDA ITEMS.

A. Next Meeting March 16, 2016

11. ADJOURN.

MOTION: Commissioner Markley made a motion to adjourn the meeting.
Commissioner Huppertz seconded the motion.

VOTE: Commissioner Markley voted aye. Commissioner Bryant voted aye.
Commissioner Huppertz voted aye. Madame Chair McGill voted aye. The motion carried.

Madame Chair McGill adjourned the meeting of February 16, 2016 at 6:35 pm.

PASSED, APPROVED and ADOPTED this 15th day of MARCH, 2016.

Dan Thompson, Vice Chairman

ATTEST:

Cheryl Huppertz, Secretary

**TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION
STAFF REPORT**

SUBJECT : ITEM 2016-SUB 001 FP
APPLICANT/AGENT : Tim Oden, Agent

REQUESTED ACTION

The applicant is seeking approval of a final plat for a four (4) lot subdivision of 10 acres located on East High Meadow Loop, in the Mountain Meadows Subdivision, Unit 2, Tract C-5-R-3, Lands of the Maguire Family Trust, S ½ of the NE ¼, Section 3, T 10N, R 7E, N.M.P.M., Town of Edgewood, Santa Fe County, New Mexico

APPLICATION EXHIBITS

- A) Staff Report
- B) Application
- C) Final Plat for a Four (4) Lot Subdivision
- D) Disclosure Statement
- E) Applicant Letter Including Narrative and Waiver of Requirements Request
- F) Agent Authorizations from Trustees
- G) Quit Claim Deed Recorded 04/26/00 /Trust Transfer Deed, Recorded 06/07/05/
Maguire Family Trust Warranty Deed, Recorded 06/96
- H) Findings of Fact: Preliminary Plat
- I) Water Service Letter
- J) Sewer Service Letter
- K) Zone Map

APPLICABLE REGULATIONS

Subdivision Ordinance 2014-03 (As Amended 02/04/15)
Zoning Ordinance 2014-02 (As Amended 08/05/15)

NOTIFICATION

Public Hearing notification was printed in the Independent on February 24, 2016. The property owners within 500 feet of the project were notified by mail. Notice signs were posted on the

LOCATION

Subject property is located on East High Meadow Loop, in the Mountain Meadows Subdivision, Unit 2, Tract C-5-R-3, Lands of the Maguire Family Trust, S ½ of the NE ¼, Section 3, T 10N, R 7E, N.M.P.M., Town of Edgewood, Santa Fe County, New Mexico

BACKGROUND

Mountain Meadows Subdivision was approved by the Town of Edgewood in 2006. The subject ten (10) acre parcel is owned by the Maguire Family Trust. It is their desire to divide the parcel into four (4) 2.5 acre lots. This is consistent with the other lots in the subdivision. All of the roads, grading and drainage, and utilities for the subdivision were installed when the subdivision was initially approved and developed. Therefore, the development of infrastructure for the subject property division was not applicable to the request for approval of the Preliminary Plat. The Planning & Zoning Commission approved the Preliminary Plat at the February 2, 2016 meeting and the following requirements were waived at that time:

- A) Benchmark Location (5.c)
- B) Utilities on and Adjacent to the Site (5,f.3)
- C) Existing Storm Drainage Facilities (5,f.4)
- D) Conditions on Adjacent Land (5.f.6)
- E) Ground Elevations (5,f.8.d.1-4)
- F) Estimated Schedule of Lot Development (5, f.8.h.)

The applicant submitted the Final Plat for approval on February 12, 2016. Since the four (4) lots are currently developed and surrounded by the same type and size of lots, the applicant has requested that certain elements of the required submittals for the Final Plat be waived. The elements that have not been submitted to staff and waivers are requested for are:

Town of Edgewood Subdivision Ordinance, Section 9.C. Contents of Final Plat:

- A) Form: Maximum Sheet Size (4.b)
- B) Certifications (4.e.3)
- C) Storm Drainage Management (4.f.1)
- D) Soils Analysis (4.f.2)
- E) Special Problems Analysis (4.f.3)
- F) Improvement Plan (4.f.4)

PROJECT DESCRIPTION

The subject property is within an existing subdivision, which is designated as R-1 Residential. This includes existing lots within the subdivision to the north, south, and west. Property to the east is zoned AG Agricultural. All lots within the subdivision have underground utilities located within the easements shown on the plat.

STAFF ANALYSIS

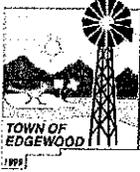
- A) Staff performed a review of the Plat and found it to be in compliance with Subdivision Ordinance 2014-03, as amended 02/04/15.
- B) The Final Plat approval is subject to the granting that specific requirements for submittal are waived, as requested by the Applicant.
- C) Granting the request for waiver of submittal of items will not harm the public welfare or impair the intent or purpose of the Subdivision Ordinance. It will allow the owners to comply with the requirements of the Subdivision Ordinance in a unified and harmonious manner and preserve the character of the community.

STAFF RECOMMENDATION

It's is the staff's opinion that the Final Plat for Mountain Meadows Subdivision, Unit 2, is in compliance with the requirements of the Subdivision Ordinance 2014-03, as amended 02/04/15, with approval of the requested waiver of requirements for items of submittal. Therefore, staff recommends approval by the Planning and Zoning Commission of the Final Plat for Mountain Meadows Subdivision, Unit 2.

Future development of the four (4) lots shall be required to meet the provisions of the following Town of Edgewood Ordinances:

- Fire and Rescue Impact Fees 2004-09
- Grading & Drainage 2001-01, as amended 11/04/10
- Landscaping Ordinance 2000-25
- Uniform Fire Code 1999-T
- Zoning Ordinance 2014-02, as amended 08/05/15
- Subdivision Ordinance 2014-03, as amended 02/04/15



Town of Edgewood
 Community Planning & Development
 P.O. Box 3610
 Edgewood, NM 87015
 (505) 286-4519 ext. 3 Fax: 286-4519

SUBDIVISION AND PLATTING APPLICATION

For Municipal Use Only: File No. 2016-~~10~~ Sub 001FP
 Date of Receipt: 2.12.16
 Planning Commission Meeting Date: _____

The undersigned hereby applies for approval under the Town of Edgewood Subdivision Ordinance, for the Plan, submitted herewith and described below:

Application Classification:

- _____ Sketch Plat/Pre-Application
- _____ Preliminary \$ 50.00 per resulting lot
- Final Plat \$ 250.00 + 10.00 per resulting lot
- _____ Vacation of Plat
- _____ Lot line vacation/replat \$ 50.00
- _____ Right-of-way vacation \$ 100.00

Applicant: DUGAN, Martell, et. al. Telephone: _____
 Address: 26104 Aliza Canyon DR, Unit B, Calabasas, Ca 91302
Street Address City State Zip Code

Agent: ODEN & Associates, Inc. Telephone: 832-1424
 Address: 200 OLD ROUTE 66 EAST, PO Box 1976, MORNINGVIEW, NM 87035
Street Address City State Zip Code

Legal Description: TR C-5-R-3, Lands of the Maguire Trust, Section 3, T10N, R7E
 Existing Subdivision N/A
 Project Address HIGH MEADOW LOOP

Address: _____

Number of Lots Created 4 Total Acreage: 10
 Current Zoning: R-1

IMPORTANT - PLEASE READ AND REVIEW

- Check if there are any easements on the property and show them on all concept and preliminary plats.
- Check if there are any drainage or stormwater facilities on the property and show them on all concept and preliminary plats.
- Check if there are any encroachments on current or proposed easements and show them on all concept and preliminary plats.
- Check if there are any public or private utilities on the property and show them on all concept and preliminary plats.

APPLICATION AND TEN COPIES OF PLAT ARE TO BE SUBMITTED AT LEAST 15 DAYS PRIOR TO THE NEXT PLANNING COMMISSION MEETING.

In applying for and signing this application, the property owner hereby grants permission to Municipal staff to access the property before and after the Planning Commission's; review for the purposes of inspecting the proposed and/or approved parcels.

Agent's Signature: [Signature] Date: 2/10/16

Owner's Signature: _____ Date: _____
(If different from applicant)

Fee Paid: \$290.00 Date: 2.12.16

Receipt: 845719 Initials: [Signature]

**MOUNTAIN MEADOWS SUBDIVISION
UNIT TWO**

**DISCLOSURE STATEMENT
PLEASE READ THIS DISCLOSURE STATEMENT BEFORE
YOU SIGN ANY DOCUMENT OR AGREE TO ANYTHING**

This disclosure statement is intended to provide you with enough information to permit you to make an informed decision on the purchase, lease or acquisition of the property described in this statement. You should read carefully all of the information contained in this statement before you decide to buy, lease or otherwise acquire the described property.

Various public agencies may have issued opinions on both the subdivision proposal and the information contained in this disclosure statement. They may be favorable or unfavorable. You should read them closely.

The Town of Edgewood Planning and Zoning Commissioners have examined this disclosure statement to determine whether the subdivider can fulfill what the subdivider has said in this disclosure statement. However, the Town of Edgewood Planning and Zoning Commission does not vouch for the accuracy of what is said in this disclosure statement. In addition, this disclosure statement is not a recommendation or endorsement of the subdivision by either the County or the State. It is informative only.

The Town of Edgewood Planning and Zoning Commission recommends that you inspect the property before buying, leasing or otherwise acquiring it. If you have not inspected the parcel before purchasing, leasing or otherwise acquiring it, you have six (6) months from the time of purchase, lease or other acquisition to personally inspect the property. After inspecting the parcel within the six (6) month period, you have three (3) days to rescind the transaction and receive all of your money back from the subdivider when merchantable title is re-vested in the subdivider. To rescind the transaction, you must give the subdivider notice of your intent to rescind within three (3) days of your inspection of the property.

Any deed, real estate contract, lease or other instrument conveying an interest in a parcel in the subdivision be recorded with the appropriate County Clerk within thirty (30) days of the signing of such instrument by the purchaser, lessee, or other person acquiring an interest in the land.

Building permits, wastewater permits, or other use permits must be issued by state or county officials before improvements are constructed; Zoning approval for building permits needs to be secured prior to applying to the State of New Mexico for a building permit. You should investigate the availability of such permits before you purchase, lease, or otherwise acquire an interest in the property. You should also determine whether such permits are required for construction of additional improvements before you occupy the property.

1. NAME OF SUBDIVISION

MOUNTAIN MEADOWS SUBDIVISION UNIT TWO
LOTS 1, 2, 3, AND 4.

2. NAME AND ADDRESS OF SUBDIVIDER

DUGAN, MARTELL, et. al.
26104 ALIZIA CANYON DR. UNIT B
CALABASAS, CA 91032

3. SIZE OF SUBDIVISION BOTH PRESENT AND ANTICIPATED

<u>Present:</u> 4 Lots approximately 2.5 acres each, for a total of 10 acres	<u>Anticipated:</u> No Change
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4. SIZE OF LARGEST PARCEL OFFERED FOR SALE OR LEASE WITHIN THE SUBDIVISION

2.509 acres

5. SIZE OF SMALLEST PARCEL OFFERED FOR SALE OR LEASE WITHIN THE SUBDIVISION

2.490 acres

6. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE

Paul Dugan 26104 Alizia Canyon Dr. Unit B Calabasas, CA 91302	Michele Martell 715 W. Slaughter Lane Austin, TX 78748
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(together an undivided 1/2 interest)

Paul and Colette Dugan (as to an undivided 1/4 interest)
in/co Kathy Majerus, as Personal Representative of the Estate of
Paul M. and Colette W. Dugan, both deceased
1357 43rd Street
Los Alamos, NM 87544

Colleen Martell and Brian R. DeWitt
1673 Littleton Place
Campbell, CA 95008
(as to an undivided 1/8 interest each as individuals)

7. NAME AND ADDRESS OF PERSONS HAVING EQUITABLE TITLE

There are no additional parties having Equitable Title.

8. CONDITION OF TITLE

Fee Simple

9. STATEMENT OF ALL RESTRICTIONS OR RESERVATIONS OF RECORD SUBJECTING THE SUBDIVIDED LAND TO ANY UNUSUAL CONDITIONS AFFECTING ITS USE OR OCCUPANCY

There are no deed restrictions or reservations affecting the subdivided land.

There is a Thirty (30) foot wide public access and utility easement on the southerly and easterly side of the property, and a Fifty (50) foot wide public access and utility easement centered on the Lot line between Lots 1 and 2.

10. ESCROW AGENT

No Escrow agent has yet been appointed.

11. UTILITIES

Telephone: Century Link (505)883-0341 – Estimated cost to purchaser - \$18.65 connection fee plus \$30.00 account activation fee.

Electricity: Central New Mexico Electric Cooperative, Inc. (505)832-4483 – Estimated cost to purchaser - \$50.00 New Service Connection Fee and a refundable deposit based on credit.

Natural Gas: EMW Gas Association (505)384-2369 – Estimated cost to purchaser - \$450.00 connection fee per lot.

Water: Entranosa Water & Wastewater Association (505)281-8700 – Estimated cost to purchaser - \$6500.00 membership fee and a \$925.00 meter installation fee.

Liquid Waste Disposal: Several local companies provide standard septic tank and installation services averaging \$5,000.00 per unit installed, depending on soil conditions.

Solid Waste Disposal: Several local companies that provide solid waste removal services averaging \$45.00 to \$55.00. There is also the Stanley Waste Transfer Station located approximately 6 miles east of NM 344 on NM 472, then 1 mile south on County Road 17-A. Solid waste permits can be obtained from the Edgewood Satellite Office located at 114 Quail Trail, Edgewood, NM (In the Edgewood Senior Center) or at the Santa Fe County Treasurer's Office at 102 Grant Ave. Santa Fe, NM for \$15.00 to \$75.00.

12. INSTALLATION OF UTILITIES

Water: There is an existing 6" waterline in place along High Meadow Loop. Service connection to the existing water line shall be the purchasers expense, upon lot development.

Telephone: There are existing underground telephone lines in place along High Meadow Loop. Service connection to existing lines shall be the purchasers expense, upon lot development.

Electricity: There are existing underground electric lines in place along High Meadow Loop. Service connection to existing lines shall be the purchasers expense, upon lot development.

Gas: There are existing gas lines in place along High Meadow Loop. Service connection to existing lines shall be the purchasers expense, upon lot development.

Liquid Waste Disposal: Installation of standard septic tank and leach field shall be the purchasers expense, upon lot development.

Solid Waste Disposal: Solid waste disposal may be contracted through an approved solid waste collection company or utilize the Stanley Solid Waste Convenience Center at purchasers expense, upon lot development.

13. UTILITY LOCATION

All utilities are currently located along High Meadow Loop. Service connection to existing lines shall be the purchasers expense, upon lot development. All existing utilities are underground.

14. WATER AVAILABILITY

The maximum annual water requirements of the subdivision will be 0.33 acre feet/annum per lot for a total of 1.33 acre feet/annum.

Water is available to the subdivision through Entranosa Water and Wastewater Association. EWWA has the ability to meet the total annual water requirements for the subdivision.

Water will be delivered by means of 6" transmission lines currently located within the 30' access and utility easement located along High Meadow Loop.

Entranosa Water and Wastewater Association does not currently restrict indoor or outdoor water use to its members.

There are no covenants or other restrictions requiring the use of water conservation measures.

Entranosa Water and Wastewater will meter each individual lot in order to monitor the water use in the subdivision.

15. FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS

Entranosa Water & Wastewater Association
1330 Hwy 333
Tijeras, NM 87059

Water is supplied from groundwater within the Estancia Basin from various wells and delivered by underground transmission lines.

There are no restrictions on either indoor or outdoor water use within the subdivision.

16. WATER QUALITY

Water quality from either domestic or community water systems is best described as moderately hard water, with moderately high levels of Total Dissolved Solids in the water.

There are no contaminants in the available groundwater that would make the water unsuitable for use in the subdivision.

Water softeners are recommended to mitigate the undesirable effects of the aesthetic quality of groundwater in this area. Entranosa Water and Wastewater Association monitors the water quality and has the results of its water quality tests available to its members.

17. LIQUID WASTE DISPOSAL

Individual standard septic tank and leach field absorption systems are proposed for each lot. The New Mexico Uniform Plumbing Code shall be strictly adhered to in all construction thereof, and permits from the New Mexico Environmental Department and the Mechanical Bureau of the Construction Industries Division are required prior to construction of any septic system.

In accordance with the requirements of the Environmental Improvement Board's Liquid Waste Disposal Regulations (20.7.3.301.C NMAC), the design flow for a conventional treatment system shall not exceed 500 gallons/acre/day.

18. STATE OF NEW MEXICO'S OPINIONS

The Town of Edgewood's Subdivision Ordinance does not require an Opinion from a State Agency. No Opinions were sought by the Town in its review of Mountain Meadows Subdivision Unit 2.

19. SOLID WASTE DISPOSAL

Solid waste and household garbage shall be collected by an approved solid waste collection company. It shall be the responsibility of the purchaser to contract with an approved solid waste collection service upon lot development.

The lot purchaser may haul his own household garbage or debris to the county operated Stanley Solid Waste Convenience Center located approximately 6 miles east of NM 344 on NM 472, then 1 mile south on County Road 17-A. The lot purchaser must purchase a Solid Waste Permit from the Santa Fe County Treasurer's Office or the Edgewood Satellite Office in order to use the Stanley Solid Waste Convenience Center.

20. TERRAIN MANAGEMENT

According to the U.S. Department of Agriculture and National Resources Conservation Service Soil Survey of Santa Fe Area, New Mexico, 1970, the soil series located on the site is entirely Witt Loam (Wn). The moderate to high shrink/swell potential in the Witt Loam (clayey loam) series poses moderate to severe limitations for dwellings with basements, due to the shrink/swell characteristics of soils having some clay in the loam mixture.

Witt Loam soils are well drained, and do not require mitigation measures for use in low building foundations. There are no proposed measures for overcoming the minor soil and topographic limitations within the subdivision.

According to the FEMA Flood Insurance Rate Map (FIRM) Community Panel No. 35049C 1000E, dated June 17, 2008, this subdivision lies outside the limits of the 100-year (1%) Floodplain in Zone X.

There are no tracts within the subdivision that have slopes greater than 11%.

Subsurface drainage is generally southeastward. Surface drainage is generally southeastward. The property generally slopes in a southeastward direction at approximately 3%.

No storm drainage systems are proposed within the subdivision.

21. SUBDIVISION ACCESS

The subdivision is located at the east end of High Meadow Loop.

The subdivision is situated approximately 5 miles northeast of Edgewood, N.M. To reach the subdivision from Edgewood, travel north on NM 344 for approximately 4 miles, then east on High Meadow Loop for 1 mile to the subdivision on the left.

NM 344 is a paved road maintained by the New Mexico Department of Transportation. High Meadow Loop is a public, graveled roadway maintained by the Town of Edgewood.

No additional roads are proposed within the subdivision.

The subdivision is accessible by conventional vehicles.

All adjoining roads to the subdivision are ordinarily accessible in all seasons, under all weather conditions.

22. CONSTRUCTION GUARANTEES

There are no proposed construction guarantees.

There are no proposed roads, drainage facilities, or other improvements within the subdivision.

There are no proposed performance bonds, letters of credit, or other collateral for construction guarantees.

23. ADVERSE OR UNUSUAL CONDITIONS

There are no activities or conditions adjacent to or nearby the subdivision that would subject the subdivided land to any unusual conditions affecting its use or occupancy.

24. FIRE PROTECTION

Access to the subdivision from the Edgewood Fire & Rescue Volunteer Fire Department, Regional Substation, is north along NM 344 for 2 miles to High Meadow Loop, then east for 1 mile to the subdivision on the left for a total of three miles.

Fire protection is provided by Edgewood Fire & Rescue Fire Department, which is staffed by both full time professionals and volunteers.

The closest fire hydrant to the subdivision is at the southwest corner.

25. POLICE PROTECTION

The Town of Edgewood Police Department and the State Police of New Mexico have law enforcement authority in the subdivision.

21. PUBLIC SCHOOLS

The nearest elementary is located at South Mountain Elementary, located 2 miles north and 1 mile west of the subdivision at the intersection of NM 344 and Frost Road. The nearest middle school is located in Edgewood, 1.5 mile south and 1 mile west of the subdivision at the intersection of NM 344 and Venus Road. The nearest high school is located in Moriarty which is approximately 12 miles southeast of the subdivision.



February 10, 2016

Town of Edgewood
Ms. Bonnie Peete
Planning & Development Manager
P.O. Box 3610
Edgewood, New Mexico 87015

RE: Submittal of Final Subdivision Application and Request for Waiver of certain submittals for Final Plat Subdivision approval of a 10 acre tract located in Section 3, T10N, R7E, N.M.P.M. Mountain Meadows Subdivision Unit Two.

Dear Ms. Peete:

Enclosed please find 8 sets of copies of the Final Plat of Mountain Meadows Subdivision, Unit Two. The property is located on High Meadow Loop East and High Meadow Loop East, approximately 4 miles north of Edgewood on NM 344, Then 1 mile east on High Meadow Loop. Mountain Meadows Subdivision was approved by the Town of Edgewood in 2006. All of the roads and utilities were put in place for these 4 lots at that time. Therefore, no development of roads, drainage, or utilities are proposed for Mountain Meadows Unit Two.

Certain sections of the Final Plat submittal requirements have not been submitted. Request is hereby made to waive certain portions of the Submittal Requirements of the Town of Edgewood Subdivision Ordinance, as suggested by **Section 9.C, Contents of Final Plat.** The requested sections that have not been submitted, and the justification for the request are as follows:

4.b "18" x 24" Sheet":

The survey plat has been drawn on 24" x 36" (D Size) sheet. State Statues dictate that Boundary Surveys are drawn on 18" x 24" maximum size sheet. Drawing on 24" x 36" size allows the graphic drawing to be shown at a larger text and font size. Larger text is more desirable when plats are reduced or reprinted from PDF images.

4.e.3, "Certifications"

All utilities are currently installed underground on the site, therefore their needs appear to have been met.

4.f.1, "Storm Drainage Management"

The storm water discharge will not be altered from the pre-development state because no grading or earthwork is proposed or needed.

4.f.2, "Soils Analysis"

There is no construction proposed or required to develop these 4 Lots.

4.f.3, "Special Problems Analysis"

The proposed subdivision does not have any limiting topography or other geographic hazards.

4.f.4, "Improvement Plan"

There are no improvements proposed. The existing access road currently complies with the Town's design standards for access to the subdivision. All wet and dry utilities needed for Lot development are currently in place.

The Planning and Zoning Commission may waive any requirement for submittals according to **Section 13, Waivers, Variances, and Modifications:**

".....the Planning and Zoning Board or Town governing body may waive, vary, or modify those requirements to allow the Subdivider to develop the property in a reasonable manner, provided that the public welfare and interests are preserved....."

Since these 4 lots are currently fully developed, and surrounded by similar, fully developed lots on three sides, request is hereby made to waive those portions of the required submittals regarding the submittal of infrastructure plans under "**Contents of Final Plat**" as noted above.

JUSTIFICATION FOR REQUEST

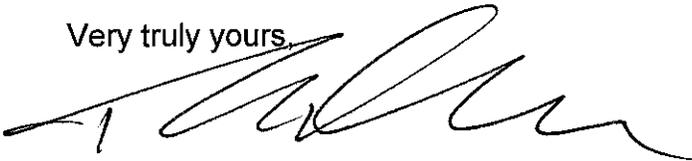
For this particular property, granting a waiver of the above submittals is justified due to these reasons:

- There are no unusual topographic, soils, or drainage issues that would negatively affect any adjacent property;
- The proposed 4 lots currently have approved graveled road access from NM 344;
- Domestic water service and dry utilities are currently available to each lot;
- Since the road and infrastructure development of these 4 Lots in 2006, there has been no negative impact on the public welfare.

Granting this request for waiver of submittal of the items above will not jeopardize the public welfare or public interest, nor will it harm the public good or impair the intent and purpose of the Town Subdivision Ordinance. Granting this request will have no adverse affect on the desirable development of the community in accordance with the Plans and Policies of the Planning and Zoning Commission.

Granting a waiver of the above submittals for preliminary and final plat approval will allow the owners of these 4 Lots to comply with the requirements of the Town's Subdivision and Zoning Ordinances in a unified and harmonious manner which will preserve the public welfare and interests.

Very truly yours,



Tim Oden, Pres., GM
Oden & Associates, Inc.

Authorization to Act as Agent

We, Brian DeWitt and Colleen Martell, hereby authorize Oden & Associates, Inc., it's principals and staff, to act on our behalf in any and all matters relating to the Subdivision of Mountain Meadows Unit 2, located in the SE1/4 of the NE1/4 of Section 3, T 10 N, R 7 E, Town of Edgewood, Santa Fe County, New Mexico.

Brian DeWitt
Brian DeWitt

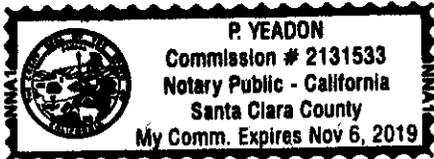
Colleen Martell
Colleen Martell

State of California
County of Santa Clara) .SS

This instrument was acknowledged before me on 11/10/2015 by
Brian DeWitt and Colleen Martell.

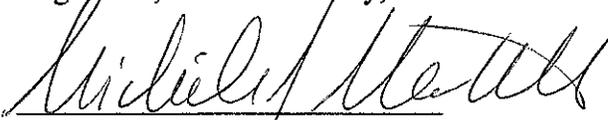
[Signature]
Notary Public

My Commission Expires: 11/06/2019



Authorization to Act as Agent

I, Michele Martell, hereby authorize Oden & Associates, Inc., it's principals and staff, to act on my behalf in any and all matters relating to the Subdivision of Mountain Meadows Unit 2, located in the SE1/4 of the NE1/4 of Section 3, T 10 N, R 7 E, Town of Edgewood, Santa Fe County, New Mexico.


Michele Martell

State of Texas)
County of TARRANT) .SS

This instrument was acknowledged before me on November 9, 2015 by Michele Martell.

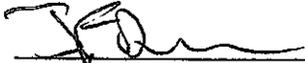

Notary Public

My Commission Expires: 12/08/2015



Authorization to Act as Agent

I, John Dugan, hereby authorize Oden & Associates, Inc., it's principals and staff, to act on my behalf in any and all matters relating to the Subdivision of Mountain Meadows Unit 2, located in the SE1/4 of the NE1/4 of Section 3, T 10 N, R 7 E, Town of Edgewood, Santa Fe County, New Mexico.



John Dugan

State of _____)
County of _____) ss

This instrument was acknowledged before me on _____ by John Dugan.

Notary Public

My Commission Expires: _____

California All-Purpose Acknowledgement

"A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document."

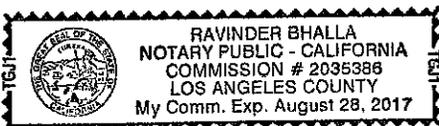
State of California }
} ss.
County of Los Angeles }

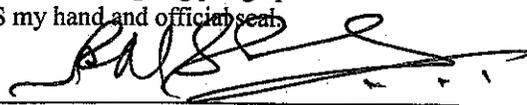
On this the 5th day of November 2015,
before me, Ravinder Bhalla, Notary Public,
personally appeared, John Dugan

Who proved to me on the basis of satisfactory evidence to be the person^(s) whose name^(s) is/are subscribed to the within instrument, and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity^(ies), and that by his/~~her/their~~ signature^(s) on the instrument the person^(s), or the entity upon behalf of which the person^(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.





Signature of Notary Public

1759650

QUITCLAIM DEED

Paul M. Dugan and Colette W. Dugan (a.k.a. Colette A. Dugan), husband and wife, for consideration paid, hereby grant to Paul M. Dugan and Colette W. Dugan, as Trustees of the Paul M. Dugan and Colette W. Dugan Trust, dated April 21, 2000, whose address is 103 Monte Rey Drive North, Los Alamos, New Mexico 87544, all of their right, title, and interest in and to the following-described real estate located in Santa Fe County, New Mexico:

Tract C-5-R-3 of the Land Division of the Lands of the Maguire Family Trust in the SE1/4 of NE1/4, Sec. 3, T10N, R7E, N.M.P.M.

In witness whereof, Paul M. Dugan and Colette W. Dugan, husband and wife, have executed this Special Warranty Deed this 21st day of April, 2000.

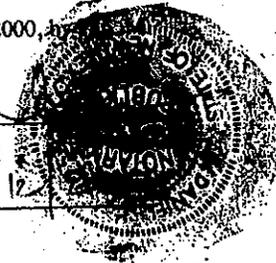
Paul M. Dugan
Paul M. Dugan

Colette W. Dugan
Colette W. Dugan

STATE OF NEW MEXICO)
) ss.
COUNTY OF LOS ALAMOS)

The foregoing instrument was acknowledged before me this 21st day of April, 2000, by Dugan and Colette W. Dugan.

[Signature]
Notary Public
My commission expires 4/12/02



1114-245
COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss.

I hereby certify that this instrument was filed for records on the 21st day of April, 2000, at 10:30 a.m. and was duly recorded in book _____ page _____ of the records of Santa Fe County, New Mexico.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk Santa Fe County, New Mexico
Rebecca Bustamante
County Clerk



1114245 - QUITCLAIM DEED

Instrument No: 1114245
Book: 1759
Page: 650
Document Type: QUITCLAIM DEED
Recorded Date: 4/26/2000 10:55:00 AM
Submitter:
Address:
Location:

Legal Information

SEC: 03 RANGE: 07E TWSHP: 10N

Name Information

Grantors:

DUGAN, COLETTE A AKA
DUGAN, COLETTE W
DUGAN, PAUL M

Grantees:

DUGAN, COLETTE W TRUST
DUGAN, COLETTE W TRUSTEE
DUGAN, PAUL TRUST
DUGAN, PAUL TRUSTEE

RECORDING REQUESTED BY:

NAOMI E. PARKER, ESQ.

WHEN RECORDED MAIL TO:

BRIAN R. DeWITT AND
COLLEEN MARTELL
1673 Littleton Place
Campbell, CA 95008

MAIL TAX STATEMENTS TO:

Same as above



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

TRUST TRANSFER DEED
PAGES: 2

I Hereby Certify That This Instrument Was Filed for
Record On The 7TH Day Of June, A.D., 2005 at 12:52
And Was Duly Recorded as Instrument # 1383122
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy Frank Orellana County Clerk, Santa Fe, NM

Space Above This Line For Recorder's Use

TRUST TRANSFER DEED

GRANT DEED

The undersigned Grantor(s) declare(s) under penalty of perjury that the following is true and correct:

THERE IS NO CONSIDERATION FOR THIS TRANSFER. TRANSFER TO A GRANTOR TRUST - NOT
PURSUANT TO A SALE.

Documentary transfer tax is \$0

Brian R. DeWitt
Signature of Declarant or Agent determining Tax - Firm Name

- Computed on full value of property conveyed, or
- Computed on full value less value of liens and encumbrances remaining at time of sale or transfer.
- There is no Documentary transfer tax due. (State reason and give Code 5 or Ordinance number)
- Unincorporated area: City of _____ and _____

This is a Trust Transfer under §62 of the Revenue and Taxation Code and Grantor(s) has(have) checked the applicable exclusion:

- Transfer to a revocable trust;
- Transfer to a short-term trust not exceeding 12 years with trustor holding the reversion;
- Transfer to a trust where the trustor or the trustor's spouse is the sole beneficiary;
- Change of trustee holding title;
- Transfer from trust to trustor or trustor's spouse where prior transfer to trust was excluded from reappraisal and for a valuable consideration, receipt of which is acknowledged.
- Other: _____

GRANTOR(S): COLLEEN MARTELL, a single person, as to an undivided 1/8 interest and BRIAN R. DeWITT,
a single person, as to an undivided 1/8 interest

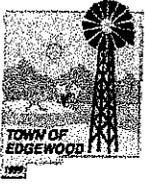
hereby GRANT(S) to BRIAN R. DeWITT and COLLEEN MARTELL, Trustees of the
DeWITT-MARTELL LIVING REVOCABLE TRUST

all of their interest in the following described real property in the County of Santa Fe, State of New Mexico:

Tract C-Five-R-Three (C-5-R-3) as shown on plat of survey entitled "Land Division of the Lands of Maguire Family Trust
being Tract C-3-R located in the NE ¼ of Section 3, Township 10 North, Range 7 East, N.M.P.M., Santa Fe County,
New Mexico", recorded in Plat Book 334, page 033, records of Santa Fe County, New Mexico.

MAIL TAX STATEMENTS AS DIRECTED ABOVE.

SFC CLERK RECORDING 06/07/2005



BEFORE THE TOWN OF EDGEWOOD PLANNING & ZONING COMMISSION

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDED ORDER

IN THE MATTER OF AN APPLICATION BY:

TIM ODEN & ASSOCIATES

CASE# 2016-SUB001

PRELIMINARY PLAT FOR PROPERTY LOCATED AT:
EAST HIGH MEADOW LOOP, MOUNTAIN MEADOWS SUBDIVISION, UNIT 2, BEING TRACT C-5-R-3 OF
THE LANDS OF THE MAGUIRE FAMILY TRUST, S ½ OF THE NE ¼, SECTION 3, T10N, R7E, N.M.P.M.,
TOWN OF EDGEWOOD, SANTA FE COUNTY, NEW MEXICO

I. APPLICATION PROCESS:

1.1 LEGAL:

The applicant is seeking approval of a Preliminary Plat for a four (4) lot subdivision of ten (10) acres located on East High Meadow Loop in the Mountain Meadows Subdivision, Unit 2, Tract C-5-R-3 of the Lands of the Maguire Family Trust, S ½ of the NE ¼, Section 3, T10N, R7E, N.M.P.M., Town Of Edgewood, Santa Fe County, New Mexico.

2. PUBLIC MEETING:

On February 2, 2016 the Planning & Zoning Commission reviewed this application for approval of the Preliminary Plat.

2.1 APPLICANT SWORN IN FOR TESTIMONY: Mr. Tim Oden, Agent

2.2 WITNESSES SWORN IN FOR TESTIMONY: Mr. John Bassett, Ms. Janelle Turner, Mr. Delmar Gassner

2.3 STAFF SWORN IN FOR TESTIMONY: Ms. Bonnie Pettee and Mr. Steve Shepherd

3. FINDINGS OF FACT:

3.1 The Edgewood Planning & Zoning Commission is authorized to hear this case and to make a determination if the preliminary plat satisfies the requirements of the Subdivision Ordinance.

3.2 Future development of these properties would conform with the surrounding properties.

3.3 Recommendation for approval of this preliminary plat will not be detrimental to the public welfare or cause a negative impact to the surrounding properties.

4. CONCLUSIONS OF LAW:

The request for an approval of the Preliminary Plat for a four (4) lot subdivision of ten (10) acres located on East High Meadow Loop in the Mountain Meadows Subdivision, Unit 2, Tract C-5-R-3 of the Lands of the Maguire Family Trust, S ½ of the NE ¼, Section 3, T10N, R7E, N.M.P.M., Town Of Edgewood, Santa Fe County, New Mexico is:

4.1 Determined to have met the requirements of the Subdivision Ordinance 2014-03, as amended 02/04/15, with the following conditions:

A. The following requirements of the Preliminary plat are not applicable and therefore waived by the Commission:

- Benchmark Location (5.c.)
- Utilities on and Adjacent to the Site (5.f.3.)
- Existing Storm Drainage Facilities (5, f.4)
- Conditions on Adjacent land (5.f.6.)
- Ground Elevation (5.f.8.d.1-4)
- Estimated schedule of Lot development (5.f.8.h)

B. Future development of the four (4) lots shall be required to meet the provisions of the following Town of Edgewood Ordinances:

- Fire and Rescue Impact Fees 2004-09
- Grading & Drainage 2001-01, as amended 11/04/10
- Landscaping Ordinance 2000-25
- Uniform Fire Code 1999-T
- Zoning Ordinance 2014-02, as amended 08/05/15

4.2 The sub-division is not detrimental to the public health, safety or welfare in the zone in which it is proposed.

4.3 The sub-division will not have an adverse impact on neighboring properties.

5. ORDER OF DECISION:

Based on the Findings of Fact, Conclusions of Law, and the reasons stated, the Town of Edgewood Planning and Zoning Commission recommends approval of the Preliminary Plat, 2016-SUB001, for the property located on East High Meadow Loop in the Mountain Meadows Subdivision, Unit 2, Tract C-5-R-3 of the Lands of the Maguire Family Trust, S ½ of the NE ¼, Section 3, T10N, R7E, N.M.P.M., Town Of Edgewood, Santa Fe County, New Mexico

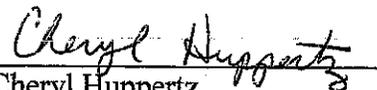
WRITTEN FINDINGS OF FACT, CONCLUSIONS OF LAW WAS APPROVED BY THE EDGEWOOD PLANNING AND ZONING COMMISSION FEBRUARY 16, 2016.



Kay McGill
Planning and Zoning Commission Chairman

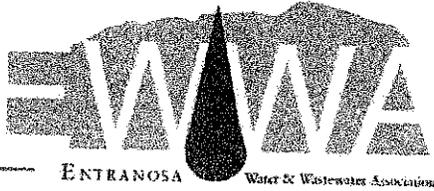
2/19/2016
Date

Attest:



Cheryl Huppertz
Planning and Zoning Secretary

2/19/2016
Date



1330 State Highway 333, Tijeras, NM 87059
Office -- (505)-281-8700
Fax -- (505) 281-0699

January 7, 2016

Developer: Dugan, Martel, et al

Address: 25104 Aliza Canyon Drive, Unit B, Calabasas, CA 91302

Re: Water Service for Mountain Meadow Subdivision, Unit Two in Edgewood, NM

Pursuant to the email of your agent, Tim Oden, of December 31, 2015 requesting a commitment to provide a community water supply for the Mountain Meadow Subdivision (Unit Two), located in Section 3, Township 10 North, Range 7 East, NMPM, Santa Fe County, New Mexico, Entramosa is able to offer the following comments:

1. Entramosa Water & Wastewater Association holds valid water permits, all with a place-of-use for water covering the location of Mountain Meadow Subdivision, Unit Two.
2. Your proposed plat indicates the creation of four lots, which will require one and one-third acre feet of water rights (1/3 acre-foot per lot) to serve. The cost of water rights will be satisfied by funding that is included within the cost of a membership. Each lot will require a membership prior to receiving service.
3. Entramosa holds permitted water rights in excess of 2900 acre-feet per year and currently has present and future commitments of up to 2000 acre-feet per year of consumptive use water rights.
4. Entramosa presently has 3236 active accounts, which utilized 907 acre feet of water in 2015.
5. System wide water production and usage during the past four years has been an average of 956 acre-feet per year.
6. Improvements requested of the applicant/property owner:
 - a. Line extensions are not necessary -- water mains are in place. If the fire marshall requires an additional fire hydrant, to augment those already installed, there will be charge for that.
 - b. Additional storage capacity - none. A portion of the membership will fund additional storage if, and when needed.

- c. Providing additional water rights – none. A portion of the membership will fund the water rights necessary to support each lot (1/3 acre-foot per year per lot)
 - d. Other – perpetual access to utility infrastructure serving each lot – do NOT fence off access to the water meter.
7. Are there any outstanding issues pending before any other board, courts, or commission, e.g Public Regulation Commission or Office of the State Engineer that might affect the ability of Entranosa to serve the Mountain Meadow Subdivision, Unit Two? No.

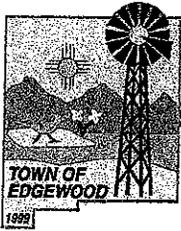
This commitment is valid for one year, and will expire on 31 January 2017. It may be renewed at that time, taking changes of circumstances into account. Should there be any questions or concerns on this matter, do not hesitate to contact me at the Entranosa office.

Sincerely,



John L. Jones
Chief Executive Officer





TOWN OF EDGEWOOD

Where the Mountains Meet the Plains

1911 Historic Route 66
P.O. Box 3610

Edgewood, NM 87015
Phone: (505) 286-4518 Fax (505) 286-4519
www.edgewood-nm.gov

January 26, 2016

Oden & Associates
Attn: Tim Oden, Agent
200 US Route 66
PO Box 1976
Moriarty, NM 87035-1976

Subject: Sewer Service for Mountain Meadows (Dugan) Sub-Division Request

Dear Mr Oden:

This letter is to inform you that Town of Edgewood Sewer Service is **not available** for the lots within the requested subdivision located at:

Mountain Meadows Subdivision Unit 2: Tract C-5-R-3, Lands of Maguire Family Trust,
Located in the S1/2 of the NE1/4 of Section 3, T 10N, R 7E, NMPM, Town of
Edgewood, Santa Fe County, New Mexico.

Please feel free to call me at (505)-286-4518 with any questions you may have.

Sincerely,

Steve Shepherd; Town Administrator
Town of Edgewood

Brad Hill
Mayor

John Abrams
Sherry Abraham
Chuck Ring
Rita Loy Simmons
Town Councilors

Wm. H. White
Municipal Judge

Stephen Shepherd
Administrator

Estefanie Muller, CMC
Clerk-Treasurer

xc: File

COPY
ALL RIGHTS
RESERVED
ODEN & ASSOC

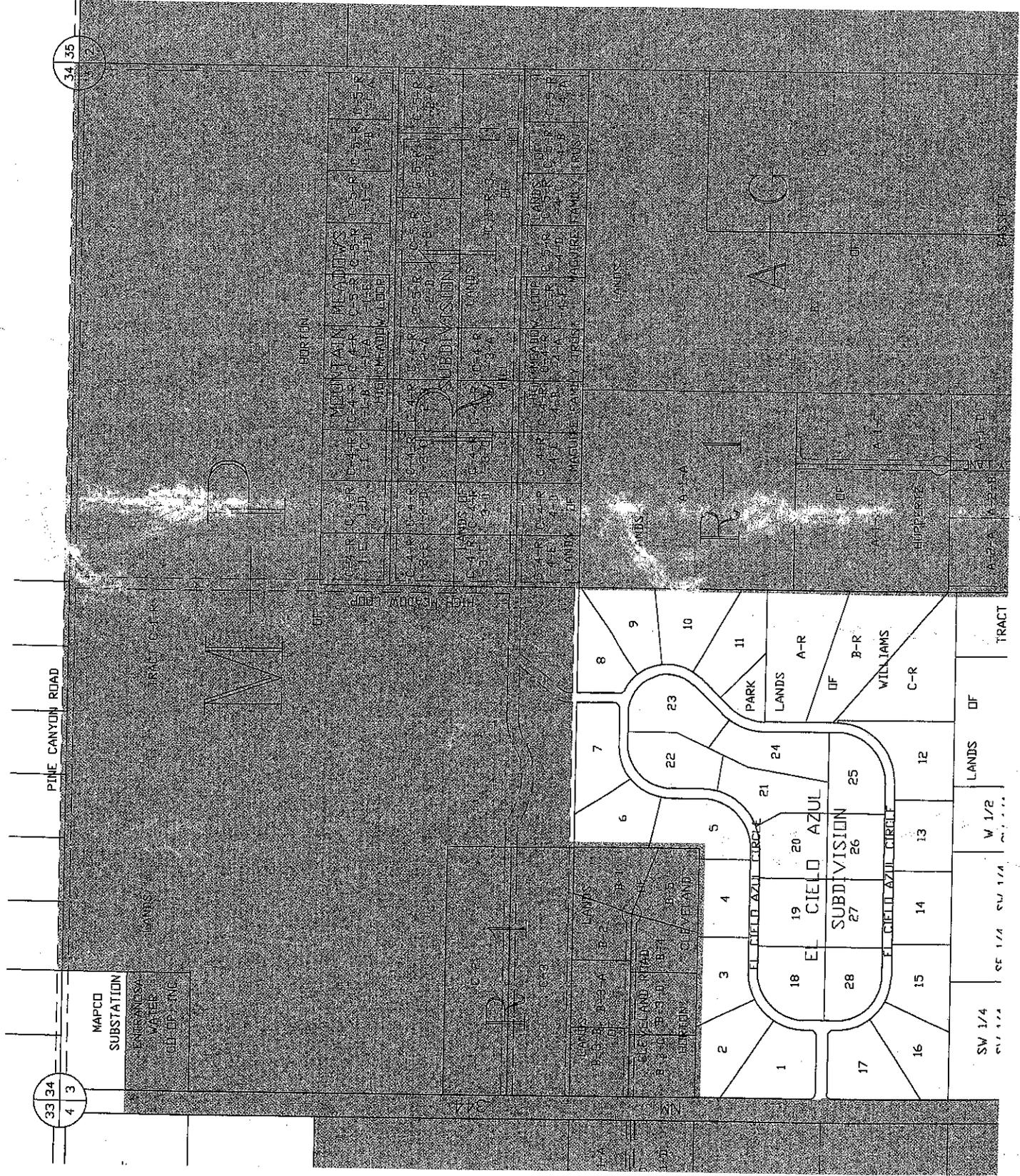


SCALE:
750' 375' 0

LEGAL DE:
T 11
R 7
SEC 3

UNIFORM PRC
104C

MAP AMENDE



33 34
4 3

34 35

PINE CANYON ROAD

MAPCO
SUBSTATION

ENTRANCES
WATER
GEL CO. INC

M

FORTEN

MEDICANTIN MEADOWS
LANDS OF
MAGNOLIA LOOP

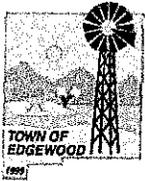
1 2 3 4 5 6 7 8 9 10 11
12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

EL CIELO AZUL SUBDIVISION

LANDS OF WILLIAMS
A-R
B-R
C-R

SW 1/4
W 1/2
LANDS OF

TRACT



BEFORE THE TOWN OF EDGEWOOD PLANNING & ZONING COMMISSION

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDED ORDER

IN THE MATTER OF AN APPLICATION BY:

WILLIAMS, CLAY

CASE- 2016-V001

REQUEST FOR VARIANCE TO USE A GREATER AMOUNT OF SQUARE FOOTAGE THAN ALLOWED BY THE RS- RESIDENTIAL AND SERVICES ZONING DESIGNATION FOR RETAIL BUSINESS ACTIVITIES AT THE PROPERTY LOCATED AT 92B CHURCH, TRACT C, LANDS DIVISION OF LANDS OF GERVAIS & PATRICIA WILLIAMS, SECTION 27, T10N, R7E, N.M.P.M. EDGEWOOD, NM 87015

1. APPLICATION PROCESS

1.1 LEGAL

A request by Clay Williams, for a Variance to use a greater amount of square footage than allowed by the RS- Residential & Services zoning designation for property located at:

92B Church Street: Tract C-2.26 acres of the Lands of Gervais & Patricia Williams, Section 27, T10N, R7E, N.M.P.M., Santa Fe County, Edgewood, N.M. 87015

2. PUBLIC MEETING

On February 16, 2016 the Planning & Zoning Commission reviewed this application for approval.

- 2.1 Applicant Sworn in for Testimony : Clay Williams
2.2 Staff Sworn in for Testimony : Bonnie Pettee

3. FINDINGS OF FACT

- 3.1 The Edgewood Planning & Zoning Commission is authorized to hear this case and it is within the jurisdiction of the Commission to grant approval of the request.
3.2 The proposed use will continue to contribute to the local economy and the surrounding community as it has in the past.
3.3 Allowing the additional square footage (up to 12,000 square feet) will not be detrimental to or impair the value of the surrounding properties. It will not impair the integrity and character of the zoning district.

4. CONCLUSIONS OF LAW

The request for a Variance in allowable square footage for property located at 92B Church is:

- 4.1 Determined to be consistent with the general intent and purpose of the Zoning Ordinance 2014-02, as amended 08/05/15, Section 19, RS- Residential & Services and Section 37, Variances with the following conditions:

A. Town Ordinances to be followed as the project moves forward in development.

- Zoning 2014-02, as amended 08/05/15
- Grading & Drainage 2002-01 as amended 11/04/10
- Landscaping 2000-25
- Sign 2009-02
- Uniform Fire Code 1999-T
- Fire and Rescue Impact Fees 2004-09

4.2 Not detrimental to the public health, safety or welfare in the zone in which it is proposed.

4.2 Will not result in adverse impact on neighboring properties.

5. ORDER OF DECISION

Based on the Findings of Fact, Conclusions of Law and the reasons stated, the Town of Edgewood Planning and Zoning Commission orders the Variance Application 2016-V001, a request for use of a greater amount of square footage (up to 12,000 square feet) than allowed by the RS-Residential and Services zoning designation for retail business activities at the property located at 92B Church, Tract C-2.26 acres Lands Division of the Lands Of Gervais & Patricia Williams, Section 27, T10N, R7E, N.M.P.M. Edgewood, NM 87015, be approved.

WRITTEN FINDINGS OF FACT, CONCLUSIONS OF LAW WERE APPROVED BY THE EDGEWOOD PLANNING AND ZONING COMMISSION MARCH 15, 2016.

Dan Thompson
Planning and Zoning Commission Vice Chairman

Dated

Attest:

Cheryl Huppertz
Planning and Zoning Secretary

Dated

Land Use Law: Current Issues in Subdivision, Annexation and Zoning

Confidently fulfill your role in land use processes.

**REGISTER
TODAY!**

800-930-6182 OR
www.nbi-sems.com

ONE-DAY SEMINAR

Albuquerque, New Mexico
May 4, 2016

FACULTY

Charles T. DuMars
Dr. James I. Ebert
David L. Mathews

CONTINUING EDUCATION

CLE - 6.0 (Incl. 1.0 ethics)
AIA - 6.0
IACET - 0.6
See inside for details!



YOUR SATISFACTION IS OUR GUARANTEE!

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BUSINESS
INSTITUTE™

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OnDEMAND & MP3 DOWNLOADS • CDS, DVDS & BOOKS

SEMINAR OUTLINE

I. ANALYZE THE LAND SUBDIVISION PROCESS

9:00-10:00, David L. Mathews

- A. How City, County and Township Platting Processes Work
- B. When Lot Splits and Industrial Lands Are Exempt
- C. Avoid Prohibited Land Division
- D. Rules Applying to Inspections, Dedications and Vacations
- E. Private or Public Streets? Which Choice and When?
- F. When Can Extraterritoriality Be Invoked
- G. The Powers and Processes of Planning Commissions: City vs. County vs. Regional
- H. When Subdivision is Not Zoning and Vice Versa
- I. What to Do When the Land Use Regulation Is in the "Gray Area" and Approval Is Denied
- J. Design Subdivision Regulations the Old Fashioned Way
- K. Get Up to Speed on the New Urbanism and Subdivision Regulations
- L. Review New Case Histories Involving Local Subdivisions

II. UNDERSTAND THE DEVELOPMENT AND UTILIZATION OF THE COMPREHENSIVE PLAN

10:15-11:15, David L. Mathews

- A. Definition of a Comprehensive Plan
- B. Key Components of a Comprehensive Plan
- C. How Comprehensive Plans for City, County and Township Differ
- D. What Is the Basis for Land Use Control? A Policy, Map, or No Plan At All?
- E. The Importance of Consistency Within the Plan
- F. Procedures for the Adoption and Amendment of the Plan
- G. How the Plan Is Implemented
- H. Tips for Working Within - and Outside - the Plan

III. BE ALERT TO THE LEGAL AND PRACTICAL CONSIDERATIONS OF ANNEXATION

11:15-12:15, David L. Mathews

- A. Update on Key Issues in Annexation Law
- B. Get It Right the First Time - Understand Filing Requirements
- C. How County Commissioners Impact Annexation Decisions
- D. How to Request a Review by the Courts
- E. Successful and Unsuccessful Challenges to Annexation
- F. What Does Contiguity Mean? How Does it Apply?

- G. How the General Good of the Territory is Determined
- H. How Mergers, Detachment, Incorporation and Local Government Changes Impact Annexation
- I. What Happens to Pre-Annexation Agreements
- J. What You May Not Know About Joint Economic Developments
- K. Review of Current Annexation Case Law and How it Applies

IV. TAKE A COMPREHENSIVE LOOK AT LAND USE LAW

1:15-2:15, Charles T. DuMars

- A. Who Has the Power to Zone? How Does It Affect You?
- B. The Ins and Outs of Board of Zoning Appeals
- C. Ubiquitous Manufactured Housing: Implications for Your Community
- D. What Quasi-Judicial Decisions Usually Involve
- E. Navigating the Appeal Process
- F. What Is Environmentally Driven Zoning Law?
- G. Determine the Impact of Current Land Use Law

V. STAY ON TOP OF ENVIRONMENTAL CONSIDERATIONS

2:15-3:15, Dr. James I. Ebert

- A. Look At the Impact of Environmental Regulations on Land Use
- B. How Endangered Species Fit into Land Use
- C. Why Primary Permit Requirements Are Vital to Successful Development
- D. Strategies for Controlling Wetlands Use and Abuse
- E. Who Does Superfund Liability Extend To?
- F. Reuse of Environmentally Impaired Property: Liability Issues and Impact Reduction
- G. How Hazardous Substances Impact Land Development

VI. ETHICS IN LAND USE

3:30-4:30, Charles T. DuMars

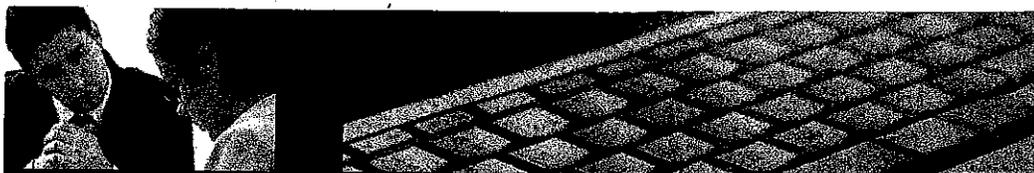
- A. Code of Professional Responsibility
- B. Land Use Decisions for the Public Good
- C. Duty to Protect the Environment
- D. Ex Parte Contacts
- E. Conflicts of Interest

*If needed, the above agenda may be changed to best accommodate all of our attendees.

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CHARLES T. DuMARS is an attorney with Law & Resource Planning Associates, P.C., where he practices in the areas of land use law, environmental law and water law. Mr. DuMars is professor emeritus at the University of New Mexico School of Law. He has taught courses in water law, constitutional law, comparative Mexican and United States law, as well as Indian water rights law, and constitutional issues in natural resource law. He has worked on cases involving equitable apportionment of waters between states in the United States Supreme Court, as well as interstate compacts. He is a consultant to the World Bank on water marketing and allocation mechanisms for groundwater in developing countries and to the United Nations committees addressing optimal allocation mechanisms for water use in developing countries. Mr. DuMars is a special assistant attorney general to the state of Georgia, where he was one of the draftsmen of the proposed Interstate Compact between Georgia, Alabama and Florida. His current work focuses on water supply and planning issues, endangered species, environmental litigation, and matters involving the equitable apportionment of waters between states. His most recent work in the interstate water issues area includes representation of the state of Oklahoma in interstate water litigation brought by a political subdivision of the state of Texas, representation of South Carolina in Supreme Court litigation against North Carolina, representation of Colorado water users in interstate water litigation against Nebraska and Kansas, and representation of a Southern California irrigation district in matters being litigated at all levels of the California court system and in establishing a framework for moving forward toward settlement of water-use issues relating to Colorado River irrigators, environmental concerns and Southern California municipal needs.

Detailed biographies can be found on our website at www.nbi-sems.com.

DR. JAMES I. EBERT is an anthropologist scientist with Ebert & Associates, Inc., and areas he makes intensive use of the scientific photogrammetry, photo analysis, digital image analysis, digital mapping. He has more than 35 years of these methods in analyzing, measuring and accident scenes, and aspects of the historical and cultural use of the landscape through other photographs. Dr. Ebert is a certified member of the American Society of Photogrammetry. In environmental cases, he combines these information from aerial and terrestrial photo data such as maps and documentary evidence of the cultural activities and processes that have caused damages at such sites as dumps, mines, and other sites. Dr. Ebert has been qualified in court as an expert witness since 1980 and the present as an expert witness in photo analysis, digital imaging and image technologies as applied to forensic investigations and reconstructions of crime, fire, and accident and resource use; and past and present human activities at environmentally relevant sites.

DAVID L. MATHEWS was in-house counsel for a period of time when that county was not yet in the United States. He is now chief general counsel for the Higher Education Department and works with special schools on a wide range of matters. He has been a frequent speaker at National Association of Attorneys generally addressing land use issues.

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SEMINAR TIME 9:00 am — 4:30 pm

Complimentary snacks and refreshments are provided.

Lunch is on your own.

TUITION

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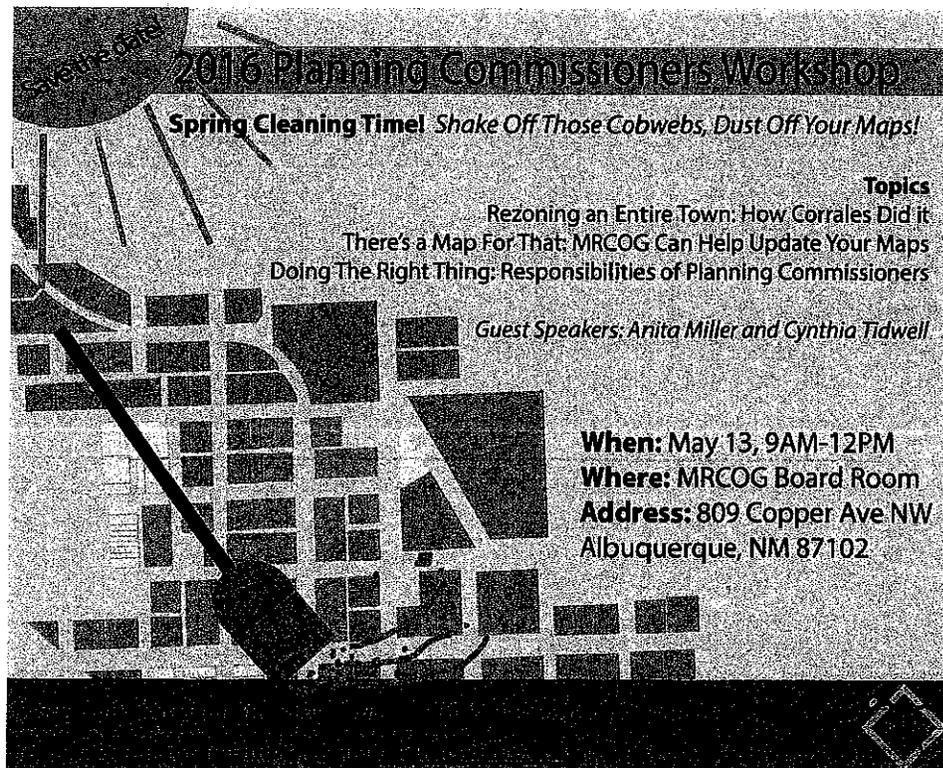
*Pre-registration is encouraged. If you need to

New Mexico Municipal League

NMLZO Semi-Annual Meeting – Las Cruces

When: May 4, 2016 - May 6, 2016

Where: Hotel Encanto, Las Cruces, NM



2016 Planning Commissioners Workshop

Spring Cleaning Time! *Shake Off Those Cobwebs, Dust Off Your Maps!*

Topics
Rezoning an Entire Town: How Corrales Did it
There's a Map For That: MRCOG Can Help Update Your Maps
Doing The Right Thing: Responsibilities of Planning Commissioners

Guest Speakers: Anita Miller and Cynthia Tidwell

When: May 13, 9AM-12PM
Where: MRCOG Board Room
Address: 809 Copper Ave NW
Albuquerque, NM 87102