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Deputy Marcella Salazar )  
Witness My Hand And Seal Of Office  
Geraldine Salazar  
County Clerk, Santa Fe, NM

**MINUTES OF THE**

**SANTA FE COUNTY**

**DEVELOPMENT REVIEW COMMITTEE**

**Santa Fe, New Mexico**

**October 16, 2014**



This meeting of the Santa Fe County Development Review Committee (CDRC) was called to order by Frank Katz, on the above-cited date at approximately 4:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Roll call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

**Members Present:**

Frank Katz  
Phil Anaya  
Bette Booth  
Louie Gonzalez

**Member(s) Excused:**

Dan Drobnis, Chair  
Susan Martin, Vice Chair  
Manuel Roybal

**Staff Present:**

Wayne Dalton, Building & Services Supervisor  
Jose Larrañaga, Development Review Specialist  
Rachel Brown, Deputy County Attorney  
Vicente Archuleta, Development Review Specialist  
Mathew Martinez, Development Review Specialist  
Buster Patty, Fire Marshal

Following motion by Member Booth and second by Member Gonzales, Frank Katz was unanimously elected acting chair.

**III. APPROVAL OF AGENDA**

Ms. Lucero noted the cases that were listed as tabled on the agenda, items C and D and stated Case G, the Rio Santa Fe Business park was also tabled at the request of the applicant. Additionally, staff is recommending that the item I, the Romero Park improvements be heard first.

Member Anaya moved approval and Member Booth seconded. The motion carried unanimously.

**V. APPROVAL OF MINUTES: August 21, 2014**

Upon motion by Member Anaya and second by Member Booth the minutes were unanimously approved as submitted.

**VI. NEW BUSINESS**

**I. CDRC CASE # FDP 14-5280 Romero Park Improvements Phase I. Santa Fe County, Applicant, requests Final Development Plan approval to allow improvements to the existing park, formerly known as Agua Fria Park. The property is located on Caja del Rio Grant Road (County Road 62), within § 31, Township 17 North, Range 9 East, (Commission District 2)**

Mr. Larrañaga read the case caption and gave the staff report as follows:

“Romero Park, formerly known as Agua Fria Park, is within the Traditional Village of Agua Fria. The Park encompasses 68 acres of Public Land along the north side of the Santa Fe River. Romero Park is identified as a Community Park in the 2000 Santa Fe County Open Land and Trails Plan. The Park serves both adjacent Agua Fria Village residents and the community at large.

“The Applicant is requesting Final Development Plan to allow improvements to Romero Park. The proposed improvements consists of: a shade structure and family picnic area at the existing restroom/concession building; an expanded plaza; a play area for 3-5 year olds; a playground for 5-12 year olds; a community lawn; rearrangement of existing parking to create 30 basecourse parking spaces; new access basecourse drive and pathways.

“Building and Development Services staff have reviewed this project for compliance with pertinent Code requirements and have found that the facts presented support the request for Final Development Plan: the facility will provide a community service to the County; the use is compatible with existing development; the use is compatible with development permitted under the Code; the Application is in compliance with the County General Plan and Code; the Application satisfies the submittal requirements set forth in the Land Development Code.

“The review comments from state agencies and County staff have established findings that this Application, for Final Development Plan, is in compliance with state requirements, Article III, § 8, Other Development and Article V § 7.2 Final Development Plan of the County Land Development Code.”

Mr. Larrañaga indicated staff was recommending approval of Final Development Plan to allow improvements to Romero Park, Phase I, subject to the following staff conditions:

1. The Applicant shall comply with all review agency comments and conditions, as per Article V, § 7.1.3.c. Conditions shall be noted on the Final Development Plan.
2. Final Development Plan with appropriate signatures shall be recorded with the County Clerk, as per Article V, § 7.2.2.

Colleen Baker, County Open Space Division, stood for questions.

Member Anaya asked why the project had to come before the CDRC. Ms. Lucero stated this is a request for development plan approval and these are ruled on by the CDRC; they can't be done administratively.

Member Booth commended staff on the participatory process that involved many stakeholders.

There was no one from the public wishing to comment.

Member Anaya moved approval of CDRC Case #FDP 14-5280 with staff conditions. Member Booth seconded and the motion passed by unanimous [4-0] voice vote.

- A. CDRC CASE # MIS 14-5360 Mark Martineau Accessory Structure. Mark Martineau, Applicant, requests approval to allow a 2,184 square foot accessory structure on 15.03 acres to be utilized as a garage/storage building. The property is located at 22 Ranchos Cañoncito, off Ojo de la Vaca Road, within § 14, Township 15 North, Range 10 East (Commission District 4)**

Mathew Martinez read the case caption and staff report as follows:

“On March 11, 1997, the Board of County Commissioners adopted Ordinance No. 1997-4 which states that the CDRC is required to review for approval any accessory structure which is greater than 2,000 square feet.

“The Applicant requests approval to construct an accessory structure totaling 2,184 square feet to be utilized as a garage/storage building. The purpose of the structure is to store and protect the Applicant's recreational vehicles, sports equipment, and personal vehicles. The proposed structure is steel-framed, and will be constructed on a concrete slab. There is currently a residence on the property.”

Mr. Martinez stated staff recommended approval of an accessory structure totaling 2,184 square feet to be utilized as a garage/storage building subject to following conditions:

1. Compliance with minimum standards for Terrain Management as per the Land Development Code and compliance with Ordinance No. 2003-6 Water Harvesting.
2. The structure shall not be utilized for commercial use.
3. The height of the accessory structure shall not exceed 24 feet.

Karl Sommer, agent and legal counsel for the applicant indicated they agree with the conditions of approval.

Member Booth asked if the structure will be visible and if the neighbors have been consulted.

Mr. Sommer stated it will be visible from some other properties. The notice has been posted prominently and no feedback has been received.

Member Anaya pointed out a discrepancy between the 2,184 square feet requested and the 2,600 square feet he calculated from the plans.

Duly sworn, Mark Martineau explained there is a covered porch on the side that accounts for the difference.

Ms. Lucero stated the request should include the roofed area. She clarified this is not a variance request; accessory structures over 2,000 have to come before the CDRC.

A discussion ensued regarding whether a change to the request could be made, given what's in the plans is evident.

Mr. Sommer suggested approving the case for the amount originally requested and the applicant can return next month for further approval.

Ms. Brown said the notice stated 2,100 square feet. However, the neighbors were aware input was being requested on an accessory structure in excess of 2,000 square feet. She said she would prefer renoticing, although "it is not a clear decision."

Member Anaya moved to table and Member Booth seconded. The tabling motion tied 2-2 with Member Anaya and Member Booth voting in favor and Member Gonzales and Chair Katz voting against.

There was no one wishing to speak about the case.

Offering to approve the request as submitted with the applicant returning for approval of the portal, Member Gonzales moved approval and Chair Katz seconded. That motion tied 2-2 with Member Gonzales and Chair Katz voting in favor and Member Anaya and Member Booth voting against.

The case will return for further review.

**B. CDRC CASE # S 12-5452 Cielo Colorado Estates Final Plat and Development Plan. Cielo Colorado LLC., Applicant, James W. Siebert, Agent, request Final Plat and Development Plan approval for Phase 1 (Lots 11-16) consisting of 6 lots of the Cielo Colorado Estates 24-lot residential subdivision on Tract 15A-2 of the Eldorado at Santa Fe Subdivision consisting of 246.30 acres more or less. The property is located on the east side of US 285, off Camino Acote, within §§ 20, 21 and 22, Township 15 North, Range 10 East (Commission District 4)**

Vicente Archuleta read the caption and gave the staff report as follows:

“In 1995, a Master Plan for Cielo Colorado was approved by the BCC. The Master Plan included 91 lots with an average density of 3.79 acres on 344.58 acres. Twenty-five of the 91 proposed lots were platted in 1995. An amended Master Plan eliminating four lots totaling 12.5 acres was recorded in 2000. In 2002 the Master Plan was vacated to allow the platting of larger lots at the east end of Tract 15A-2. This Application includes the remainder of the property that has not been platted within Tract 15A-2.

“On July 18, 2013, the County Development Review Committee recommended approval of the Applicant’s request for Master Plan approval for a 24-lot residential subdivision. The CDRC also approved two cul-de-sacs to exceed 500 feet in length.

“On September 10, 2013, the Board of County Commissioners approved the request for Master Plan approval for a 24-lot residential subdivision on 246.30 acres.

“On April 8, 2014, the Board of County Commissioners approved a request for Preliminary Development Plan and Plat approval for 24 lots on 246.30 acres within tract 15A-2 of the Eldorado at Santa Fe Subdivision in conformance with the approved Master Plan and a Variance of Ordinance No. 2008-10 to allow access through a 100-year floodplain without an all-weather crossing.

“The Applicants now request Final Plat and Development Plan approval for Phase 1 consisting of 6 lots of the 24 lots on 246.30 acres within tract 15A-2 of the Eldorado at Santa Fe Subdivision in conformance with the approved Master Plan which was to be developed in 4 phases. Lot sizes will range from 8.72 acres to 14.89 acres.

“Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for Final Development Plan and Plat approval for Phase 1.”

Mr. Archuleta said the Application for Final Plat and Development Plan approval is in conformance with the previously approved Master Plan and Preliminary Plat and Development Plan and with all Code requirements. Therefore, staff recommends approval of the request for Final Plat and Development Plan subject to the following conditions:

1. The Final Plat and Development Plan must be recorded with the County Clerk's office.
2. The Applicant shall submit a financial guarantee, in sufficient amount to assure completion of all required improvements prior to Final Plat recordation as per Article V, § 9.9 of the Land Development Code.
3. The Affordable Housing Agreement must be, reviewed and approved by the BCC prior to plat recordation of Phase 1.
4. ~~The affordable lots shall be reasonably dispersed within the project as per Ordinance No. 2006-2. The Applicant will be required to relocate one of the affordable housing lots and designate the new location of the affordable lot with the final Plat submittal for Phase 2. [Deleted at staff report]~~

Duly sworn, Jim Siebert, agent, said this was the third time the project had been before the CDRC. There have been six meetings with the neighbors and they have approved the project as being presented. He said the applicants are in agreement with the conditions.

There was no one from the public wishing to speak.

Member Anaya moved to approve CDRC Case #S 12-5452 with staff conditions. Member Booth seconded and the motion carried without opposition [4-0].

- C. **CDRC Case #Z 06-5033 Village at Galisteo Basin Preserve. TABLED**
- D. **CDRC Case #V Vincent Mastrantoni/Webb Garrison Variance. TABLED**
- E. **CDRC CASE # V 14-5300 Cathy and Chris Stoia Variance. Cathy and Chris Stoia, Applicants, request a variance of Article III, § 10 (Lot Size Requirements) of the Land Development Code to allow a Land Division of 12.87 acres into two lots. The property is located at 20 La Barbaria Road, within § 17, Township 16 North, Range 10 East (Commission District 4)**

Wayne Dalton read the caption and staff report:

“The subject lot is recognized as a non-conforming lot. There is currently a residence and an accessory structure on the property. The residence on the property is recognized as legal non-conforming and was constructed in 1974. On December 11, 2012, the Applicants were granted a variance of height and placed an addition onto the existing residence. The Applicants now wish to divide their property into two lots: One lot consisting of a 5.06 acre and one lot consisting of 7.81 acres.

“The minimum lot size in this area is 20 acres with 0.25 acre-foot water restrictions. Lot size can be further reduced with proven water availability. On August 6, 2013, the Applicants applied for a Summary Review Subdivision to create two lots and submitted a geohydrological report for review. It was determined by the County Hydrologist that the information submitted in the report was outdated and insufficient. Therefore, the geohydrological report did not provide adequate water to divide the land, and the Application was denied.

“The Applicants state, they have stalled their Application in hopes the Sustainable Land Development Code would take effect. The Application would be in conformance with the proposed SLDC, where the property falls within the Residential Fringe Zoning District and will be subject to minimum lot sizes of one dwelling per five acres. The Applicant further states that the proposed 5.08-acre lot and 7.81-acre lot are larger than most lots in the surrounding area and will not be out of character with existing densities in the area. Lot sizes range from 1.55 acres to 7.87 acres within the immediate area.”

Mr. Dalton stated staff was recommending denial of a variance of Article III, § 10 (Lot Size Requirements) to allow a Land Division of 12.87 acres into two lots. If the decision of the CDRC is to recommend approval of the Applicants' request, staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre feet per year per lot. A water meter shall be installed for each lot. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office (As per Article III, § 10.2.2 and Ordinance No. 2008-05).
2. A Plat of Survey meeting all County Code requirements shall be submitted to the Building and Development Services Department for review and approval (As per Article III, § 2.4.2).
3. Further Division of either tract is prohibited; this shall be noted on the plat. (As per Article III, § 10)
4. The Applicant shall comply with all Fire Prevention Division requirements at time of Plat Review (As per 1997 Fire Code and NFPA Life Safety Code).

Acting as agent for the applicants, Bryan Berg was placed under oath. He distributed materials to the committee members (not provided for the record). He pointed out that approval of the SLDC is being delayed and the applicants would like to get earlier approval. He referred to an area map showing the parcel in question is the largest in the vicinity. He pointed out a lot-size precedent has already been set and the new zoning in the SLDC establishes the lot minimum at five acres. The well output on the current lot is 4 gpm, which is much better than the 5.9 gpm on his lot which serves five homes. He said the water levels depend more on drought conditions than on usage.

Mr. Berg reviewed the County Hydrologist's report and concluded there was little leeway allowed and she had a grudge against this project. He said if five-acre lots are

allowed there would be no way to enforce geohydrological standards vis-à-vis a 100-year water supply under the property. He said Santa Fe's growth is inevitable.

Duly sworn, Antonia Quast, business partner and friend of Ms. Stoia explained there were medical and financial hardships involved and it is the in community's best interest to have the Stoias not have to sell the whole property. The prospective buyer for the split off lot is her romantic partner who would adhere to design standards.

Member Anaya asked how far away the County's water system was from the property. Mr. Berg speculated that it wouldn't be in place for 50 years. Ms. Lucero said the closest point appears to be at Quail Run, around 3.5 to 4 miles away.

Member Gonzales asked if a condition could be placed prohibiting further lot splits. Mr. Dalton said that is already a condition.

Member Gonzales asked if there were two wells on the property as indicated on the plat. Mr. Berg said the previous owner, Dr. Kirk, had planned to divide and drilled a well on the other part of the property. Mr. Dalton said the first well probably has three acre-feet of water and the second one acre-foot. Mr. Berg pointed out that if both wells had water restrictions they would be using much less water than what is currently allowed.

Under oath, Paula Tackett referred to her letter [*Exhibit 1*] and stated she lived in the area. She understood Dr. Kirk drilled the second well as backup. She said she has to keep lowering the pump in her well. "Water is an issue."

Member Anaya asked Ms. Tackett if she had a storage tank. She said she has a small pressure tank.

There was no one else from the public wishing to speak and Mr. Berg read from a report indicating that the decline in water levels were due to climate issues and that recharge is possible.

Member Gonzales suggested adding a condition to the effect that if one or the other of the wells on the property goes dry.

Chair Katz asked about the mention of using the house as a vacation rental, and Mr. Berg said whether the Stoias or someone else was staying there the water use would be the same.

Chair Katz noted that the zoning of five acres specified in the SLDC implies staff has satisfied themselves that is the appropriate size, but it appears that decision is not final at this point.

Land Use Administrator Penny Ellis-Green said staff was given direction by the BCC to hold off on the SLDC amendments and zoning map to allow major portions of the code to be written. This will allow issues and problems in the zoning to be worked out



and will allow community overlays to be sorted out. Responding to a question by Member Booth She said there is no overlay contemplated for the area in question, but all zoning is in abeyance. September 2015 would probably be the earliest the SLDC would be ready so until that time the old code is still in effect.

Noting progress needs to proceed and change is good, Member Anaya moved to approve CDRC Case #14-5300 with staff conditions and with the additional condition:

5. There will be a shared well agreement in the case one of the wells fails, with water restrictions of 0.25 acre-foot per residence per year. This is to be noted on the plat.

Member Gonzales seconded. The motion tied by a 2-2 voice vote with Member Anaya and Member Gonzales voting in favor and Member Booth and Chair Katz voting against.

Member Booth explained her vote saying going from 20-acre minimum to five was too much. She noted that the argument that the lowering of the water table was due to climate was not a compelling argument, given that the projections are for the climate to get drier and hotter.

Ms. Brown clarified that the case will come back when the full panel is present.

**F. CDRC CASE # V 14-5270 Madeleine Wells and Mary O'Brien Variance. Madeline Wells and Mary O'Brien, Applicants, request a variance of Article III, § 10 (Lot Size Requirements) of the Land Development Code to allow two dwelling units on 6.195 acres. The property is located at 30 Sibley Road, within the vicinity of Cañoncito, within § 13, Township 15 North, Range 10 East, (Commission District 4)**

Mr. Dalton read the case caption and the staff report as follows:

“The subject lot was created in 1993, by way of a land division, approved by the Land Use Administrator, and is recognized as a legal lot of record. In 1995, by warranty deed, Maria O'Brien transferred to Madeline Wells an undivided half interest in the subject property. There is currently a residence, an abandoned structure, and two storage sheds located on the property. The abandoned structure is non-habitable, and the current habitable residence is 1,425 square feet.

“The Applicants request a variance of Article III, § 10 to allow two dwelling units on 6.195 acres. The Applicants state when they initially purchased the property in 1993, both structures existed. Since the purchase of the property, the structure across the creek has been abandoned and is no longer accessible due to lack of all-weather access and the structure is non-habitable. The proposed new structure will not be located across the river and will have all-weather access. The Applicants state they purchased the property together with the intention of constructing a second dwelling so they both have homes they could reside in. Their request is to

replace the abandoned second dwelling with a habitable dwelling. There are several properties with similar lot sizes and multiple dwellings and accessory structures in the immediate area.”

Mr. Dalton stated staff was recommending denial of a variance of Article III, §10 (Lot Size Requirements) of the Land Development Code. If the decision of the CDRC is to recommend approval of the Applicant’s request, staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre-feet per year per home. A water meter shall be installed for each residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk’s Office at the time of Development Permit (As per Article III, § 10.2.2 and Ordinance No. 2002-13).
2. The Applicant must obtain a development permit from the Building and Development Services Department for the additional dwelling. (As per Article II, § 2).
3. The Applicant shall provide an updated liquid waste permit for both homes from the New Mexico Environment Department with the Development Permit Application (As per Article III, § 2.4.1a.1 (a) (iv)).
4. The placement of additional dwelling units or Division of land is prohibited on the property. (As per Article III, § 10).
5. The Applicant shall comply with all Fire Prevention Division requirements at time of development permit Application (As per 1997 Fire Code and NFPA Life Safety Code).
6. The Applicant shall remove the abandon structure on the property prior to Development Permit issuance. (As per Ordinance No. 2009-11).

There were no questions of staff and Madeline Wells was placed under the oath. She indicated that when she purchased half of the property the intent was to improve both dwellings. However, only one was remodeled and the other was abandoned due to FEMA floodplain issues and creek bed erosion. The plan is now to build a second, accessible structure elsewhere on the lot. She pointed out the planned location on the west side of Sibley Road.

Chair Katz asked if anyone had ever lived in the now abandoned structure. Ms. Wells said there was a tenant until 1995 and she lived there until moving away in 2007. Since that time the creek bed has dropped substantially.

There was no one in the audience wishing to provide input.

Member Anaya asked if they were planning to drill another well. Ms. Wells said there is currently a well that produces approximately 10 gpm with a depth to water of 240 feet. Member Anaya asked when the second dwelling was built. Ms. Wells said they couldn’t find any records relating when it was built. Ms. Lucero said research found no permits issued prior to 2005; at that point the County issued a permit for an addition to the main structure.

Member Booth moved to deny. The motion failed for lack of a second.

Member Anaya moved to approve CDRC Case #V 14-5270 with staff conditions and Member Gonzales seconded. The motion carried 3-1 with Member Booth casting the nay vote.

Chair Katz said he was persuaded by the fact that there had been two houses on the property for many years.

- H. CDRC CASE # PDP/FDP 14-5011 31 Bonanza Creek Road. Leslie Moody and Mitchell Ackerman, Applicants, JenkinsGavin, Agents, request Preliminary and Final Development Plan approval to allow a Bed and Breakfast within an existing residence on 9.94 acres. The property is located on the west side of Highway 14 off Bonanza Creek Road (County Road 45), within § 26, Township 15 North, Range 8 East (Commission District 5)**

Mr. Larrañaga recited the case caption and gave the staff report as follows:

“On May 13, 2014, the Board of County Commissioners approved Master Plan Zoning to allow a bed and breakfast within an existing residence on 9.94 acres. The following conditions of approval were imposed on the Master Plan, by the BCC: The Applicant shall comply with all review agency comments and conditions; The Master Plan with appropriate signatures shall be recorded with the County Clerk; Only two kitchens shall be allowed on the site in keeping with the non-conforming status of the site: The Preliminary and Final Development Plan shall be submitted promptly after 90 days of data collection on actual water use is obtained; The Final Development Plan shall be submitted to the County Development Review Committee accompanied by a staff report; The Applicant shall provide water rights if the proposed water use for the bed and breakfast exceeds 3 acre-feet of water per year.

“The Applicants request Preliminary and Final Development Plan approval to allow an existing 5,580 square foot five-bedroom residence to operate as a bed and breakfast. There are two dwellings on the 9.94-acre site. A 4,561 square foot residence will be utilized by the Applicants as their primary residence and the second residence will be utilized as a five-bedroom bed and breakfast. The Applicants are not proposing any expansion of the existing structures as part of this Application.

“The Applicants have complied with the conditions of approval of the Master Plan: the Applicants have complied with all review agency comments and conditions, as illustrated in the proposed Final Development Plan drawings; the Master Plan was recorded with the County Clerk; the Final Development Plan drawings illustrate two kitchens; the Application for Preliminary and Final Development Plan was submitted in a timely manner; on May 1, 2014, the

Applicants installed a water meter on the existing well and 92 days of meter readings were recorded through July 31, 2014. The water use averaged 157.97 gallons per day, which calculates to 0.174 acre-feet per year.

“Building and Development Services staff have reviewed this project for compliance with pertinent code requirements and have found that the facts presented support the request for Preliminary and Final Development Plan: the Application is comprehensive in establishing the scope of the project; the Preliminary Development Plan substantially conforms to the approved Master Plan; the Final Development Plan conforms to the Preliminary Development Plan; the County Hydrologist has determined that the code requirements for water availability for Preliminary and Final Development Plan have been met; the Application satisfies the submittal requirements set forth in the Land Development Code.

“The review comments from State Agencies and County staff have established findings that this Application is in compliance with state requirements, Article V, § 7.1.3 Preliminary Development Plans, Article V, § 7.2 Final Development Plan and Article VII § 6 Water Supply, Table 7.4 of the Land Development Code.”

Mr. Larrañaga indicated staff is recommending conditional approval for preliminary and final development plan, to allow a bed and breakfast within an existing residence on 9.94 acres, subject to the following staff conditions:

1. The Applicants shall comply with all review agency comments and conditions, as per Article V, § 7.1.3.c.
2. Final Development Plan with appropriate signatures, shall be recorded with the County Clerk, as per Article V, § 7.2.
3. The Applicants shall submit documentation, verifying that well RG-31117 has been permitted for commercial use by the Office of the State Engineer Water Rights Division, prior to the recordation of the Final Development Plan.
4. The Applicants shall submit monthly meter readings, from Well RG-31117, to Santa Fe County and to the Office of the State Engineer.
5. The Applicants shall record water restrictive covenants restricting the water use to the property to 0.25 acre-feet per year.
6. A note shall be placed on the Final Development Plan, stating that: “If the total water usage exceeds 0.25 acre-foot per year (afy), submission of a geohydrologic report approved by the County Hydrologist demonstrating water availability as allowed by the Code, will be required.” In the event the geohydrologic report cannot support water availability above 0.25 afy, the Applicant shall take measures to meet the 0.25 afy, by reducing the amount of rooms to be utilized for the Bed and Breakfast and/or limit the months of operation. In the event that the Applicant cannot meet the water use requirement the Business license for the Bed and Breakfast may be rescinded.

Duly sworn, Jennifer Jenkins, agent for the project, stated the previous conditions have been met and the applicants are in agreement with all conditions.

Chair Katz asked if the meter readings were truly reflective of typical usage. Ms. Jenkins said this is the high season and there were a number of events held.

No one from the public wished to speak.

Member Booth move to approve CDRC Case #PDP/FDP 14-5011 with staff conditions. Member Anaya seconded and the motion carried unanimously [4-0]

**VII. PETITIONS FROM THE FLOOR**

None were offered.

**VIII. COMMUNICATIONS FROM THE ATTORNEY**

Ms. Brown introduced a new member of the Legal staff, attorney Andrea Salazar.

**IX. COMMUNICATIONS FROM STAFF**

The next meeting was scheduled for November 20, 2014.

**X. ADJOURNMENT**

Having completed the agenda and with no further business to come before this Committee, Acting Chair Katz declared this meeting adjourned at approximately 5:45 p.m.

Approved by:

*[Signature]*  
Frank Katz, Acting Chair  
CDRC

ATTEST TO:

*[Signature]*  
COUNTY CLERK

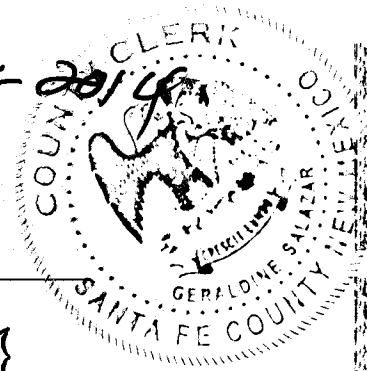
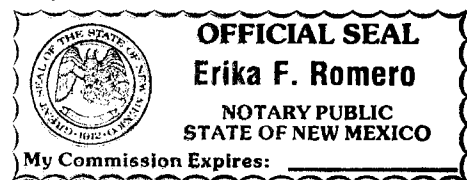
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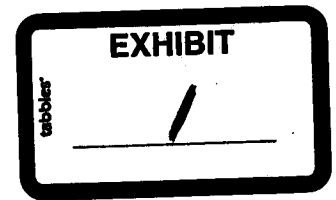
Before me, this 18 day of December, 2014

My Commission Expires:  
8 Jan 15

*[Signature]*  
Notary Public

Submitted by:  
*[Signature]*  
Debbie Doyle, Wordswork





Paula Tackett  
7459 B. Old Santa Fe Trail  
Santa Fe, New Mexico 87505  
(505) 982-3784; [ptackett13@gmail.com](mailto:ptackett13@gmail.com)

August 14, 2013

Penny Ellis-Green  
County Land Use Administrator  
c/o Land Use Dept.  
102 Grant Avenue  
P.O. Box 276  
Santa Fe, New Mexico 87504-0276

Subject: STOIA, Request for a Variance of Article III, Section 10 (Lot split Request)  
CDRC Case # 14-5300

Dear Ms Ellis-Green:

I am writing to express my concern about the above-requested Subdivision and the impact the split of this lot and the use the additional well will have on the water table and the water usage of the surrounding residents.

It was my understanding that the prior owner, Dr. Kirk drilled the 2<sup>nd</sup> well on his property to insure that he would have water if his first well went dry. I don't believe when he applied for the secondary well that it was anticipated that the well would be used concomitantly with the first well or that it was approved to be used for two separate households, thus requiring the water table to support the use of two wells. Had I been so informed I would have attended whatever hearing was necessary to register my concern at that time.

I understand that the criteria that must be met for approval is to prove 100 year supply and an acceptable level of quality of water. I further realize that the 100 year supply criteria is based on use of pump tests showing the spread of the recharge and extrapolating from the pump tests based on some formula which may have been developed when Santa Fe was experiencing rainfall far in excess of what has been present during the last few years (not counting the rain last week which was quite welcome), but I would suggest that there is no way to predict actual supply and the formula is still guesswork regarding the reality of the water availability.

The actual experience with water usage in this area can be quite different from house to house. I had to put in a replacement well after my original well caved in on itself (original owners

failed to encase it further down then 20 feet) and after 1 year I had to lower the pump in the well 60 feet because of increased construction and use in the area that caused a drop in the water table. Last summer, until we got a bit of a rainy period, I had to schedule bathing, washing clothes and watering my garden at very different times, because when I ran a load of clothes in my washer, which was a new and highly efficient water-using washer and then started a bath at the same time, I would only get about 2 inches of water in the tub before the water would stop and I would have to turn everything off and wait for the re-charge.

Please understand that I am not trying to be an obstructionist, but since the Stoia's are from California, they may not appreciate how this lot split may impact their water as well since I believe we are all on the same water table.

I appreciate your consideration of my concerns. If I can answer any other questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Paula Tackett".

Paula Tackett

2025 RELEASE UNDER E.O. 14176