

Minutes of Board Meeting

Approved 9/15/2016

Upper Las Colonias Neighborhood Association

May 10, 2016 4:00PM

Quail Ridge Tennis Facility

Attendance - Present - Eugenia Hauber, Jeff Tetenbaum, Steve Turner, CJ Johnson, John Mahoney, Jim Turner and Kurt Edelbrock . Mike Tarleton was not present.

Also in attendance – Lou Sturbois, Marion Summers, Rick Edelman, Sharon Hobbs, Jim Day, Dave Darus, Katie Spiers, George Bostian, Allen Ferguson, Jana Ebeling and Brian Skinner.

1. Minutes of the April 5, 2016 meeting were approved.

2. Treasurer's Report. John Mahoney indicated the balance in the account was \$921.69.

3. Speed Limit – Allen Ferguson summarized the status of the matter. The board resolution sent to the New Mexico Department of Transportation (NMDOT) in July last year has been in limbo for some time now. A speed study was undertaken and concluded in November with approval to reduce the 55 mph limit to 45 mph at the start of highway 150. The most recent board follow up request to NMDOT regarding status of the change had not been answered. On May 2nd, Allen corresponded with NMDOT and received a response from Mr. Paul Brasher, Acting District Engineer. He indicated that although the speed reduction appears to be appropriate, before making the change the NMDOT will always hold a public meeting to receive comments pro and con. As a result, NMDOT will hold a public information meeting on May 26th at 6PM at the Taos Kachina Lodge. We will provide notice via email and on the website prior thereto.

4. Overlay – Last month, the JWG presented the overlay draft to the board. The JWG believed it was ready to be sent to the membership for comments and suggestions. The board unanimously agreed. Shortly thereafter the membership received email and regular mail notification that the overlay was available for comment, questions and suggestions. This meeting's agenda suggested that it would be a good time for those with comments to come forward and state them. Prior to the meeting, the board received one question about the possibility of splitting a parcel into two pieces. It was determined the property was too small to be able to be split. Also, a certified letter was received from Marion Summers with a number of comments some of which were described as well taken by our president. At the meeting comments from those in attendance follow:

Allen Ferguson – Allen noted that the overlay was unclear about whether "Home Occupations" for "Home Offices" in residential properties were appropriate. It was suggested that asterisks, similar to those in the "Art Studio" category be included to indicate that so long as the LUR provisions regarding home occupations were met, that it would be permissible in the neighborhood.

Rick Edelman – Rick requested a discussion regarding setbacks in commercial properties and one followed. Rick expressed his concern that the overlay's setbacks were more restricted than those in the LUR and that as written, it would preclude the use of his property. He stated his property was only 220 feet deep and that the setbacks would restrict 115 feet. He would like for the overlay to follow the

county's table in the LUR for his property. He indicated a more formal letter with additional comments will be forthcoming from his lawyer, Mark Hirsch.

Dave Darus and Katie Spiers – They indicated their concern that the level of 50db and the limits of time for their outdoor concerts should not be the concern of the neighborhood association. They stated that KTAO complied with the permit restrictions from the prior year and a further limitation was inappropriate. This year's permit application indicated that the staging would be changed from facing northwest (last year) to south and west facing. If so, many on the board believe that would go a long way to keeping sound out of the neighborhood. The board will consider the comments regarding decibel level and closing time of the concerts and will prepare a reply to the county with regard to the permit application. KTAO expressed that they do not want to have to work with the neighborhood association and that they will be working solely with the county with regard to their concerts.

Marion Summers – Marion indicated that many years ago the board of the association would have required her to build a 7 foot adobe wall in front of her property if she was going to build a larger storage structure on her property. Now, it appears that she would like to increase the size of her driveway and possibly add another access to her property from 150. I believe this is the first the board was made aware of her desires. There is some uncertainty regarding adding access off of 150. It is not the board or the association that can make that determination. We believe it is the NMDOT who would determine whether that was feasible.

George Bostian – George made reference to the same wall, his comments reflected his long held belief that there should be a home owners association rather than a neighborhood association. He believes that the businesses along 150 and 522 should not be included in the neighborhood association. The board has no control over this. The county set the boundaries many years ago.

5. What's next – additional discussion about what happens next. The board will consider membership comments with an assist from members of the association. We will also be contacting the county after making any changes to the draft overlay.

6. Meeting adjourned at 5:15PM. Next meeting has not been scheduled.

