

FINAL DRAFT

Minutes of March Board Meeting

Upper Las Colonias Neighborhood Association

March 15, 2023 4:07PM

Quail Ridge Tennis Facility and Zoom at Residences

Board Attendance - Present - Kurt Edelbrock, Eugenia Hauber, John Halley, John Red Horse, Jeff Tetenbaum, David Nielson, Mike Tarleton and Kent Kobakoff. Absent - Phil Caston, John Mahoney, Steve Turner and Jonathan Stuart.

Members Present –Honore Maloney, Jack Jacobs, Gary and Colleen Ferguson, Viola Vigil, John Bowden, Mark Deaton, Martha Grossman, Kay Wheatley, Tom Ottinger, Peter Walker, Emily Harper, and Susie Schwartz.

Members On Zoom – Participating either for part or the entire call- Dianne McKenzie, Henry Hornberger, Cardinal Reiger, Brianna Muller, Roger Pattison, Vivien3 Bonzo, Ann Craig, Eleanor Walther, and Ramie Elkins.

Steve Natelson representing Songwriter

1.Treasurer’s Report – John Mahoney, via email, indicated current balance is \$3,231.75

2.Minutes from the February 7th Meeting were approved.

3 Songwriter – Steve Natelson presented and took questions on the Application for Variance on Lot Size for Songwriter, which is in Subzone 2, Multi Family. Lot size of 1 acre would be reduced to approximately one third of an acre. The scheduled Board of Adjustment hearing was postponed and will be rescheduled after approximately two months. The project contemplates 24 lots of 1/3 acres each, served by community water and sewer. Steve explained the process: if ULCNA doesn’t object, a Preliminary Plat application will be filed. The plan would have to comply with the Subdivision regs. Steve hopes that would be completed a year from now. After approval, a Final Plat Application will be filed. This requires all sorts of cost analyses for roads, electric, gas and infrastructure. A Letter of Credit will be required so that the infrastructure construction is covered. Lots estimated at \$30,000 per.

Give and take followed – Kurt mentioned that Steve used our 2019 Matrix but that it is not in force with respect to the .25 acre lot size. Steve said the variance is only for lot size and that a change to the 30 foot setbacks will not necessary and the plan will conform to the sight line rules we have in 2003-1. Steve will have another map prepared to confirm. He also mentioned that he anticipated having the homes metered for water to ensure that the total amount of water didn't exceed the 6 acre-ft/year limit that PeteFrench has committed to their subdivision.

Eugenia mentioned that Mark Yaravitz (B of A chair) had proposed a similar lot size reduction for a different project a few years ago and that as such, might he have to recuse himself from this variance application. These homes are intended as affordable

housing but with the cost of building even now, that may be very difficult when homes would be built years from now.

John mentioned that the Songwriter's proposed lot sizes and subdivision located in Subzone 2 provides a transition that ULCNA has advocated for between existing subzone 2 multifamily and subzone 3 homes, in a manner that conforms to what is allowed in Section 4.2 of Taos County Subdivision Ordinance 2005-8.

Sewer Plant discussion followed – Tom Ottinger is concerned about odor and volume size of the current plant. The plant has capacity for the 80 units from the initial permit so it is expected to be able to handle 23 units. Comment was made about how odor control is challenging at this plant and opinion made that this is because waste water treatment components are located outside. By contrast, the proposed TREV plant takes the waste inside and has odor reducing features. Question was asked if it is possible to require a plant upgrade to resolve known odor issues, as part of the approval process to connect a new project to the plant.

Gary offered that if a green area (like TREV) were possible, it would make it more attractive to buyers. Steve said he didn't think that would be likely based on the current plan but that there is a green area next to Comanche road.

4. TREV – John continues to work with state and county agencies. The TREV team has provided about 90% of the effort and information required to address responses provided by government agencies so far, that most significantly involves updating the traffic study with a new traffic count. The updated Traffic Study will require the most time and should be finished by middle April. Public hearings will be scheduled AFTER all government agency response requests and issues have been dealt with and resolved to the satisfaction of the Taos County Planning Department.

5. Short Term Rentals – David gave a summary report. He mentioned the effort by Dianne and John H to get information on the website and Dianne's offer to help with a survey if one is to be employed. David said a draft is prepared to send to the county of what we'd like to see in the neighborhood. The survey would assist in determining how many and how many rentals we have. After brief discussion of the lodgers tax and the need to be able to enforce STR regulations, it was decided to move forward as follows:

- a. Cardinal to go online to assist in determining rentals within the neighborhood by noting Air B&B's and other rental options,
- b. David and John to meet to discuss the letter in draft form intended to be sent to the county;
- c. the STR committee to meet to get other members input and
- d. the resulting letter to be presented to the Board at the April 5th meeting in anticipation of Kurt signing and sending a final version to the Planning Department after the meeting.

AnJanette Brush indicated STR's are the county's #1 priority. Kurt spoke with Susan Baker re a county desire to reduce STR's from 1500 to 1000. Susan advised it can't be done as court cases have ruled against "the taking." New regulations of new development should be able to set limits. Julianna Martin's letter about rentals on Camino Nopal was read.

6. ACE – Steve Turner inquired about the setbacks along 150 with a concern that the ACE coffee shop might be too close to the road. The setback in our Overlay is 75 feet. The new matrix has a setback of 65 feet. John will measure.

7. NM 150 Multi Use Path – John provided write ups about a new proposed path along NM 150 as represented at the Enchanted Circle Trails Association website and noted that some misinformation is included that will need to be resolved. He also mentioned that the county Planning Department does not know about what is being planned even though the project has received Taos Pueblo approval and a grant for engineering the path. Much more on this at our next meeting.

8. Next meeting is scheduled for WEDNESDAY, April 5th. Further discussion of Songwriter, the letter to the county on STR and the Multi-Use Path will be among other matters on the agenda. Meeting adjourned at 6:20PM.