

# Town of Mesilla, New Mexico

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION  
(PZHAC) WILL HOLD A REGULAR MEETING AT THE MESILLA TOWN HALL,  
2231 AVENIDA DE MESILLA.  
MONDAY- JUNE 5, 2023, AT 6:00 PM

## MINUTES

Madam Chairperson: Okay, recording whenever you're ready. All right today is Monday, June the 5<sup>th</sup>, 2023 6:00 pm. First item is a pledge of allegiance.

Members: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all.

Madam Chairperson: Welcome, everyone. Next order of business is roll call and determination of a quorum. Eddie, please.

Mr. Salazar: Commissioner Jones.

Commissioner Jones: Present.

Mr. Salazar: Commissioner Walkinshaw.

Commissioner Walkinshaw: Present.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Present.

Mr. Salazar: Commissioner Salas.

Commissioner Salas: Present.

Mr. Salazar: Commissioner Rockstraw.

Commissioner Rockwell: Present.

Mr. Salazar: Madam Chair, you have quorum.

Madam Chairperson: Awesome, great, good to hear. Our next item are changes and approval of agenda. Are there any changes? If not, then I'll accept a motion to approve the agenda.

Commissioner Jones: So moved.

Commissioner Walkinshaw: Second.

Madam Chairperson: Moved by Commissioner Jones, second by Commissioner Walkinshaw. Mr. Salazar, can you call for the vote, please?

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Eric Walkinshaw: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: I wasn't at that meeting, but I don't know if I abstain or just accept.

Mr. Salazar: Accept.

Madam Chairperson: Yes.

Mr. Salazar: So and may have closed.

Madam Chairperson: Thank you. Next item is public input and the public is invited to address the Commission regarding items listed on the agenda. You can also send your comments to the Clerk Treasurer 24 hours prior to the meeting. Is there any public comment at this time? Please state your name.

Woman: Hello. My name is Trina Whiter, and I just wanted to comment that there are still no minutes on the website since it's like April 17<sup>th</sup>. So, the whole month of May, there are no minutes online. I wanted to know what could be done so that those are online so we don't have to call and request those every single week. Thank you.

Madam Chairperson: Thank you. Anyone else? Okay, all right. Next item is approval of the consent agenda. The consent agenda does include the May 1<sup>st</sup>, 2023 meeting minutes, accept a motion to approve.

Commissioner Salas: So moved.

Commissioner Jones: Second.

Madam Chairperson: Moved by Commissioner Salas, second by Commissioner Jones. Mr. Salazar, if you could please.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair, five zero.

Madam Chairperson: Okay, thank you. Under new business, our first case is case 061633.

Commissioner Walkinshaw: I have a brief. I thought we had a chance to comment on the minutes.

Madam Chairperson: Well, that's what the...

Commissioner Walkinshaw: Well, there was a...

Madam Chairperson: The approval of the...

Commissioner Walkinshaw: Okay, I didn't understand that, but there is a minor, really minor comment on number two as Commissioner Rockstraw was present.

Madam Chairperson: It was addressed, and I did talk to Mr. Salazar and I did read the minutes.

Commissioner Walkinshaw: Okay, thanks. Thank you.

Madam Chairperson: And I think we were going to look at those minutes sometime earlier prior to you.

Mr. Salazar: Yes, Madam Chair, if I may one of the things that I had thought was due to the minutes it takes quite a bit of time to get them approved. If whenever I send the packets out and the minutes also go up with it as...

Commissioner Walkinshaw: Give your comments.

Mr. Salazar: Bring your comments email them to me.

Commissioner Walkinshaw: Okay.

Madam Chairperson: Prior to.

Mr. Salazar: Commissioner Walkinshaw, and actually Commissioner Walkinshaw did call, and chairperson said or made some comments on that. If we can do that, I can actually bring the official minutes. I make the adjustments, right? And after the Commission agrees, then Mrs. Chairperson Lucero says, okay, signed official, I can get them up to on the website as fast.

Commissioner Walkinshaw: That'll be good.

Madam Chairperson: Thank you. Thank you very much. All right, so moving on, under new business signed case 0611633 at 2001 Avenida de Mesilla. This is submitted by Jimmy Novares. Mr. Salazar.

Mr. Salazar: Yes, Jimmy Nevares did request a permit for a sign, case number 061633 at 2001 Avenida de Mesilla, for his business Planet Fireworks at and he is requesting if you look at the packet a sign on a storefront metal sign. It's a picture cutout of a black cat, similar to the fireworks Black cat. Also, one thing he did his wife Heather did come in and she did mention that there wasn't going to be any lighting or anything on it. She mentioned about adding a solar light just above it, just to kind of be able see it at night to be part of the request. Stand by. Also I did, all the fees were paid. Verification was made for the contractor. There were some pictures, as you can see in the packet and description of the mounting of assign to the docket. I stand by for any questions?

Madam Chairperson: Thank you very much. I'll accept a motion to approve case 061633 at 2001 Avenida de Mesilla.

Commissioner Jones: So moved.

Commissioner Walkinshaw: Second.

Madam Chairperson: Moved by Commissioner Jones, second by Commissioner Walkinshaw. Commissioners, I'm opening it up for discussion. Since I hear none, then I will call for the vote.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Yes.

Mr. Salazar: Commissioner Salas?

Davie Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair, five zero, motion passes.

Madam Chairperson: Very good. Mr. Nevares just showed up. So, your case is just approved and after this, you can go back and talk to Mr. Salazar and he'll tell you the next step.

Mr. Nevares: Thank you commissioners.

Madam Chairperson: Thank you. Our next case is 061535 at 2000 Calle de Parian, Mr. Salazar.

Mr. Salazar: Yes, the next case we have is another sign request was submitted by Julian Hatfield from 2000 signed case number 061635. And the request is to assign at a wall, a painted wall sign at her location, at her business location, 2000 Calle de Parian. If you look at the packet the very, I believe it's the very last page, is the last picture that she submitted from the actual artist himself did a rough draft for that about as far as what the design or the picture or the sign's going to look like the colors are going to be earth colors. It's going to be brown and turquoise, similar to the one that we mentioned on the last meeting, the size is well under our code, which is 15 square feet. I think she has a sign on her door but it's on the inside. So, the code does allow two exterior signs on the building itself. So, again, she's well within our code. I standby for any questions.

Madam Chairperson: Thank you, Mr. Salazar. I'll accept a motion then to approve case 061535.

Commissioner Salas: So moved.

Commissioner Jones: Second.

Madam Chairperson: Moved by Commissioner Salas second by Commissioner Jones. I am opening up for discussion, commissioners. Seems like I see none and this is the, okay. Then I will call for the vote.

Mr. Salazar: Okay. Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair, five zero, motion passes.

Madam Chairperson: Thank you. Our next case is business case number 1113, and this is submitted by Felicia Gonzales a business 2310 Avenida de Mesilla. Mr. Salazar.

Mr. Salazar: Yes, ma'am, Mayor. Felicia Gonzalez stopped by my office and submitted a request to open up the business here at the Town of Mesilla at 2310 Avenida de Mesilla, business case number 1113. The business says she's looking to open is a massage therapy business. She does have a tenant/landlord contract with the existing business, which is New Mexico Vintage Market. We notice of the packages that she is going to be renting a room at this location. There are going to be no changes to any structure, any rooms, any extra electrical lighting or anything like that. Again, she's just requesting to do business, standby for any questions.

Madam Chairperson: Thank you, Mr. Salazar. I will accept a motion then to approve this business license case 1113.

Commissioner Jones: So moved.

Commissioner Salas: Second.

Madam Chairperson: Moved by Commissioner Jones, second by Commissioner Salas. I'm opening it up for discussion, commissioners.

Commissioner Walkinshaw: Yeah, I had a brief note. Parking's pretty limited back behind there, and I was wondering if there's going to be a requirement or if that's enough room that she would've our customer parking and also her own parking as a therapist.

Mr. Salazar: Okay.

Commissioner Walkinshaw: Whether she has to get street parking.

Mr. Salazar: That is I did pass by the location. I did take some pictures. It does look that she has in the parking, but considering the business that she's renting with if it starts to become a nuisance with wherever the cars are start parked, but on the code, they are meeting the requirement that we have.

Commissioner Walkinshaw: Thank you.

Madam Chairperson: Thank you, Mr. Salazar. Anything else? Since I'm hearing none, then call for the vote, please.

Mr. Salazar: Okay. Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair, five zero.

Madam Chairperson: Thank you. Moving on to case 0611638 at 2200 West Union Avenue, Mr. Salazar.

Mr. Salazar: Yes, case number is 061638 2200 West Union was submitted by Mike and Shannon Mizel requesting approval to approve away a garage attached to the primary residence. We look at the packet of the garage approximately 28 by 28 feet. There was a question that I brought up with the applicant stating that the setback that he asked posted the property was actually 10 and not seven. He thought it was seven feet. So, he is aware that the setback is 10 feet and not seven. There are these drawings he is planning on doing it himself. He is aware that he does need to seek a CID permit whenever it comes to electrical plumbing, HVAC of work. Again, this application request is to be able to get approval to be allowed to build. He understands the CID requirements and all that.

Madam Chairperson: Thank you.

Mr. Salazar: Standby.

Madam Chairperson: All right. I'll accept a motion to approve case 061638.

Commissioner Rockstraw: So moved.

Commissioner Jones: So moved.

Madam Chairperson: Okay. I had two motions. I have Mr. Rock. I heard Mr. Rockstraw and then Mr. Jones. So, Mr. Rockstraw was the one that said the first motion and we'll get Commissioner Jones.

Mr. Salazar: Jones. Thank you.

Madam Chairperson: All right. I am opening it up for discussion, commissioners. But first I would like to ask Mr. Maese for his input, and then we'll get the commissioners to ask.

Mr. Maese: Good afternoon commissioners. In regards to the only question that I had was regarding the setback and that's already been addressed.

Madam Chairperson: Yes.

Mr. Maese: Yes. So, from what has been submitted as far as their drawings or drawings will be sufficient in order for them to obtain their permits. So, at this time, really it was just a setback making sure that they did leave that. So, any anything else it seems to be appropriate.

Madam Chairperson: Very good, very good. Thank you. Thank you, Mr. Salazar. Commissioners.

Commissioner Walkinshaw: Yeah, I did have a question on the drainage. It kind of shows where the drain, on one drawing it shows where the drainage goes and it's, it's from right to left over the top of the addition. But I don't know how many canals he's figured in there or whether it's adequate and whether we have to have a drainage plan for that particular?

Mr. Salazar: Yeah, typically the drainage plan is required when it is commercial property.

Commissioner Walkinshaw: Okay, right.

Mr. Salazar: A applicant with a new rule farm area such as me as the drainage is not really a concern. It is going have to be submitted to CID and they are going to have to process it, but within our, our code, again, just a commercial card.

Commissioner Walkinshaw: Thank you.

Mr. Salazar: Or if it does residential moves into the public type.

Commissioner Walkinshaw: Yeah, correct, correct. Okay. Thank you.

Madam Chairperson: Anything else? Since I hear none, call for the roll, please, Mr. Salazar?

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair, five zero.

Madam Chairperson: Thank you. Moving on then to case 061643 at 2215 Calle de Guadalupe, Mr. Salazar.

Mr. Salazar: Okay, all right. Okay, case number 061643 at 2215 Calle de Guadalupe submitted by John and Sawyer Rawlings requesting approval to replace a door, a double door that goes into the street with a window similar to the one they have next to the building. If you look at the packet, I did take a picture of the window. It is included. And also there is a picture of the door the door. He did bring up that the door he gave me a little bit about the history of it. That is we are in a historical zone. It is a landmark building. Again, I brought it up and I'm bringing it up to the Commission for



discussion because he does want to replace it with a window similar to, again, it's next to it. And I stand by for any questions on that.

Madam Chairperson: Thank you. I'll accept a motion then to approve case 061643.

Commissioner Walkinshaw: So moved.

Commissioner Jones: Second.

Madam Chairperson: Motion was made by Walkinshaw and Jones second. I am opening it up for discussion. I'd like to say something about the historical appropriateness. The historical appropriateness, did you read through it? I mean, does it comply with our historical preservation section of that ordinance and when was that door that, that French door, because it's been there forever it seems like?

Mr. Salazar: Yeah, it has been. It has been. And I am at the, you know, here present and asking for advice from the Commission because it does request that there is a review meeting about these types of cases.

Madam Chairperson: Yes.

Mr. Salazar: And because there wasn't one again I'm asking for your opinion if what your experience, what you've been through and how to handle a case like this and how to move forward.

Madam Chairperson: Okay. Oh, I'm sorry.

Commissioner Salas: No, go ahead. I'm sorry you have the floor. Sorry.

Madam Chairperson: Well, I just wanted to, because there is no material that's going to be used or anything, and I'll go ahead and let Mr. Salas say his part first and then I'll can follow through.

Davie Salas: Well, I just expand a little bit on what Commissioner Lucero said. I mean, there's still, I mean, what they're going to replace it with. There's nothing really, I mean, I see the pictures of the windows, but to actually see it, I think I'd like to see what they're going to be facing with. But my bigger question is why are they wanting to change? What is prompting this? I mean, are we talking about a safety issue? I mean, what's the logic in the replacement?

Mr. Salazar: Well, his...

Davie Salas: Or the thinking, I'm sorry.

Mr. Salazar: Yes, Madam Chair, Commissioner Salas, his explanation was that they don't use the door and part of the safety they want to keep, they want to close it, but yet they want to make it a window because they don't want to lose the daylight going into the room because of this kind of dark. One of the things that I did look at I went to go drive around and look at, there are a lot of Airbnb businesses and when I looked up this address this address pulls up as an Airbnb business. Okay, so again I'm here to kind of draw from your experience and from your expertise on handling a case like this.

Madam Chairperson: Yes. Under historical appropriateness, I hate, I would hate to see a change because they're going to mess with the Adobe, they're going to mess with the whole frame. And I

don't see an urgency in doing this. When he purchased the property, I'm sure he was aware that this is a historically significant piece of property and to do alterations to it, it kind of just, I'm not fully convinced that it should be done.

Commissioner Salas: I'm sorry.

Madam Chairperson: Go ahead.

Commissioner Salas: I would be more in favor of, I mean, if that's the reasoning behind it of leaving the opening, for me, just thinking out loud, right? I mean, I'm just thinking leaving the opening as is, but just maybe building up just maybe the bottom part of it just to be able to hold maybe a window of that size that looks in the same character of that. I don't know. I mean, that's my idea too, I guess, compromise in a way, you know, they get to change it out to a window, but at the same time it keeps the opening the same. Plus it keeps it as looking as pretty as closest to what it was.

Madam Chairperson: And what about the material use?

Davie Salas: I don't know. Well, I think it'd have to be done in a fashion that would be consistent with what is there already.

Mr. Salazar: Okay.

Commissioner Walkinshaw: Yeah. What I what I noticed and made some notes on is that refuse can, if we decide that it's appropriate to change it out to a window and it's supposed to match the existing windows, and they're more territorial style as far as the framing goes and also the windows have cages on it. It's rod irony. So, maybe if they're concerned about the, about the access for people safety wise, would it be appropriate to put the iron in front of the door so it's still allowing light in there, that's one of their issues, but it's closed off so no one can get in there? I don't know.

Commissioner Jones: In your in your description on your board action form, you've written in here that the window be similar to the one next to the door, the same side of the building, and yet we have no photographs or anything to look at in this package that will allow us to either agree or disagree with that go see what the style change might involve.

Mr. Salazar: Yeah. That's why we took a picture as close as I could if the window next to it. But yeah, the window that he is purchasing, I don't know if he's going to have it custom made to look like that or he is going to purchase a window.

Madam Chairperson: Do we have a representative from?

Mr. Salazar: I'm not sure. I don't think. I don't believe he's here.

Madam Chairperson: There's nobody here. Commissioner Salas?

Davie Salas: Commissioner Walkinshaw just reminded me of something too. I mean, what's behind the door? Is it a bedroom? Is it something that actually needs an access of some sort? I don't know.

Madam Chairperson: It's an entryway.

Daniel Jones: It was a hallway.

Davie Salas: I've never been in. Okay.

Madam Chairperson: That's why I just don't, Mr. Maese.

Mr. Maese: All right. Madam Chair, commissioners, let me just make a couple of comments just food for thought. First of all, this is in the historical district, okay? If you look at the picture of the door, the door is a modern door, which means that the historical value of the property is already taken out. So, in the past what has been done is the Commission would ask for a letter or some kind of documentation from the Historical Society as to the significance that this property is playing within the area. Secondly, in regards to the door, there could be several different things that are, are pushing as far as changing it, it could get water back in when it rains, the water may be coming back into the bottom of the door because it sits lower than the surrounding area. It could be that they just don't want to use that opening that or that access anymore. As far as the framing on it, I understand your concerned Commissioner Lucero, but they can always frame it in smaller and use what is there as part of their framing to not disturb the adobe anymore than it has to be. So, there's several options. There's several different concerns and options, items of interests that need to be looked into, but the biggest one is because this is within the historical district, is it actually by changing it, is it affecting, hampering adding to the significance of the property?

Madam Chairperson: My question is I don't know when they installed this. It was years and years and years, years ago, so I don't know. I saw this and it looks like a two by fours, and it looks like a window.

Commissioner Salas: Two by 10s.

Madam Chairperson: Two by 10s, I'm sorry, and sheetrock. So, that to me just threw everything off as far as the sky. So, does the Commission want to act on this? Do you need more information? Do we need to...? We don't have any type of material that they're going to use and that is a concern for me. So, I don't know what the board feels. What is the consensus of the board?

Commissioner Jones: The historical issues are very significant here.

Mr. Salazar: I'm sorry.

Commissioner Jones: The historical issue is about the building and the fact that it's in that district are very important to this decision. And so I don't know.

Madam Chairperson: Would you like to have a letter from the historical preservation board? They can provide a letter to the Commission before we move forward with this, because it will change the face of that side.

Commissioner Jones: Yep.

Madam Chairperson: How do you also,

Commissioner Salas: I'm almost positive this is one of the more significant structures.

Madam Chairperson: I'm in agreement with that.

Commissioner Salas: So, yeah, I'd like to have them better also maybe we may need to have a work session with them. I mean, it shouldn't take long, but we should probably have a work session

with them of some sort just try to come to some sort of compromise or decision in one way or the other.

Madam Chairperson: All right. It seems like the consensus of the board is to table this particular case until we have a workshop and with those specific requirements.

Mr. Salazar: Okay.

Madam Chairperson: Okay. So, I guess we need to vote on the table.

Commissioner Salas: Yes.

Madam Chairperson: All right. So, let's change the motion then to tabling this case.

Commissioner Rockstraw: So moved.

Davie Salas: Second.

Madam Chairperson: Okay. Moved by Commissioner Rockstraw, second by Commissioner Salas. Call for the vote, please.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes, to table.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes, to table.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Yes, to table.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes, to table.

Mr. Salazar: Commissioner Rockwell?

Commissioner Rockstraw: Yes, to table.

Madam Chairperson: Thank you.

Mr. Salazar: Madam Chair, five zero to table.

Madam Chairperson: Thank you very much. Thank you, commissioners. All right, our next item is case 061647 at 2355 in Calle de Guadalupe.

Mr. Salazar: Yes. This case number 061647 at 2355 in Guadalupe was submitted by CW. Ritter requesting approval to build an additional storage room in his business Double Eagle Restaurant. It zones historical commercial. Mr. Ritter is looking for approval to add addition to, excuse me, additional storage room to his business. Michael Weeks's Design Building will be doing the work.

Mr. Ritter understands if approved, he will be required to obtain a New Mexico CID permit. Work is in the historical commercial zone. If approved, CID will require a permit application. He's submitted, contractor license, have been verified proof of ownership as well. And I stand by for any questions.

Madam Chairperson: Thank you, Mr. Salazar. I'll accept the motion to approve case 061647.

Commissioner Jones: So moved.

Commissioner Walkinshaw: Second.

Move my Commissioner Jones second by Commissioner Walkinshaw. Opening it up for discussions, at the end I am going to would like the Commission to consider the historical preservation part of it. And I would like to hear from Mr. Maese, because I don't remember going over this in the review committee. So, can somebody explain to me what's going on?

Mr. Maese: Madam Chair, Commissioners, you are correct. We did look at most of these items a couple of weeks ago. My apologies, I've been on vacation all last week, so I wasn't able to review anything new. But this is something that just came in fairly recently and has not had a chance to go through full review before it's been presented. Again, I apologize I haven't had a chance to look at it from my side and the review committee hasn't had a chance to look at it either. There are some questions, I did kind of briefly look at it earlier, there are some questions that have been brought up as far as how the construction is supposed to take place. Is this going to kind of fall back on what was originally discussed a while back and the addition to the double legal regarding utilities regarding accessibility? Even though this is just listed as storage, there are some other considerations that have to be observed at, and until we're able to look at that and see exactly what areas it's going to affect throughout the infrastructure of the community, I would recommend that we have a chance to review it a little bit better.

Madam Chairperson: I agree with that. Commissioners, have you entered an agreement with that? Then let's... Did you have anything to add?

Madam Chairperson: Okay. So, it seems that the consensus, if I'm on the line, let me know, let's table this case for further review, okay?

Commissioner Salas: Yeah, I'm good.

Madam Chairperson: All right. So, I accept a motion stated.

Commissioner Walkinshaw: Yes, I move to table.

Commissioner Jones: Second.

Madam Chairperson: Moved by Walkinshaw and second by Jones. Mr. Salazar, please call for the vote.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes to table.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes to table.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Yes to table.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes to table.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes to table.

Mr. Salazar: Madam Chair, five zero to table.

Madam Chairperson: Thank you. Our next item is case 061650 at 3070 Estrada Road. Mr. Salazar.

Mr. Salazar: Okay, case number 061650 at 3070 Estrada Road submitted by Rosarito M. Rodriguez requested approval to build an addition attached to your primary residence. It is rural farm zone. Ms. Rodriguez requested approval to add to attached two carport attached to the house along with the decking. She's also looking to build a small casita type in her and along with that addition, and Mr. Rodriguez is also doing an interior alterations that does not require his zoning permit. The little casita addition is within the setbacks if approved. State permit is required residence in the rural area zone, a contractor license verified the representative is here in case we have any questions, and if he have been paid with this application. I'm going to stand by for any questions.

Madam Chairperson: Thank you, Mr. Salazar. I'll accept a motion to approve case 0611650.

Commissioner Jones: So moved.

Commissioner Walkinshaw: Second.

Madam Chairperson: Moved by Commissioner Jones, second by Commissioner Walkinshaw. I'm opening it up for discussion and I also would like to hear from Mr. Maese before we start our discussion with the Commission. Again, I'm going to ask, was this seen before the review committee?

Maese: Madam Chair, Commissioners, again my apologies I have not had a chance to look at this, and I do not believe the committee has had a chance, the review committee has had a chance to look at it. From what I see on it there are a couple of items. One of them is not so much with the construction of the deck and the cardboard, but as to how it's going to affect the pool, and what if anything is going to be needed to make safety precautions available on the pool once this construction starts? So, with that in mind, CID would have to have a chance to look at it and review it a little bit more to see exactly what would be needed additionally in order to approve it.

Madam Chairperson: And also it the casita, does it have plumbing in there? I couldn't tell. I didn't see plumbing. It's just a bathroom. Okay, my sight is not all in place. Okay, I've got it. So, that does require CID.

Maese: Madam Chair, Commissioners, yes, they would have to go through a full CID review.

Madam Chairperson: Okay. All right, Commissioners?

Commissioner Walkinshaw: Yeah, I did have a couple issues, but since it's going to have to be reviewed by the committee, I don't have any comment.

Madam Chairperson: Well, we do have two options, I guess. I guess we could, would you prefer to have it be looked by the review committee before we act on this case? Is that what I'm hearing from the Commission?

Commissioner Rockstraw: It makes sense.

Commissioner Jones: That's fine with me.

Madam Chairperson: Okay. It seems like that's a consensus. All right, so again we are going into table case 061650 pending review. Okay, I'll accept a motion for that. Oh, no, we can, we did the motion, right?

Mr. Salazar: Yes.

Madam Chairperson: Okay. So, now we vote.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes to table.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes to table.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Yes to table.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes to table.

Mr. Salazar: Commissioner Rockwell?

Commissioner Rockstraw: Yes to table.

Mr. Salazar: Madam Chair, five zero to table.

Madam Chairperson: Okay. All right, oh we're down to Commission and staff comments. Anything from the commissioners? Seems like nothing. Anything from the staff? Nothing, wow, all right. Okay. Did you want to address the...? Yes.

Maese: Madam Chair, Commissioners, just to let you know, I have received several phone calls and met with several different people in the last few weeks regarding the case that we have with Bustamantes.

Madam Chairperson: Oh.

Maese: There have been several people looking to try and purchase the property. But at this time, it's my understanding that nobody has been able to come to an agreement on that. But there has been progress for the first time and quite a while regarding that. So, hopefully, hopefully at some point there can be some kind of arrangement made to proceed to completion of that project. But at this time, it's still, at least there's some talks going around just so.

Madam Chairperson: And I do have a question on that. When a property is red tagged, and I know we've discussed this before, is there a statute of limitations when then, now they're going to get fined because the building is getting more and more deteriorated, they're not taking care of the problem, is there fines? Is there anything that can be done with properties like that? Because we have others that have been red tagged by CID and they're still, they're not, nothing's getting done and they're falling apart.

Maese: Madam Chair, Commissioners, just to answer question in regard to a statute of limitations, there really isn't. What happens is once a red tag is placed, it's really at that point that all works should come to halt until property permitting and review have been conducted. There have been cases where individuals, property owners, contractors have worked over the red tag which is against a statute.

Madam Chairperson: Exactly.

Maese: But it comes down to how much the state wants to pursue it, and a lot of times it falls back on the local municipalities to come in and make consideration as to what needs to be done. And I know that I have discussed this with the Commission, with Mr. Salazar and his prior coordinators in that acceptance of the Property Management Code by the town of Mesilla is very, very big, right? I just have a couple of cases that I've just started working on where the municipality has come in and actually had a resolution sent to the Commission for approval, and now the city is going to come in and give the homeowner 10 days to comply, if not, they will come in and demo the property.

Madam Chairperson: And I think we need to proceed with that. Maybe bring it to the attention of the board.

Maese: Right. Yeah, so what ends up happening from the standpoint of CID, we will continue to red tag it over and over again. At some point we're going to have to file a formal complaint and it'll go through the investigation's office and then it's up to the judge to decide what he wants to do. But from the municipality standpoint, it's also good business practice to have this in place as part of your code.

Madam Chairperson: And I totally agree with that, so maybe, Mr. Salazar, if you can make a note of it on the minutes and we would like to see some action by the board of trustees taken in matters like this. Okay, anything else? All right, if there's none, then I'll accept a motion to adjourn.

Commissioner Salas: So moved.

Commissioner Rockstraw: Second.

Madam Chairperson: Moved by the Commissioner Salas, second by Commissioner Rockwell. Call for the vote, please.



Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Madam Chairperson: Yes.

Mr. Salazar: Commissioner Salas?

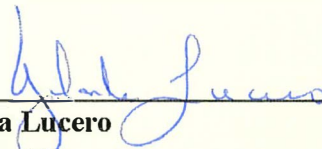
Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockwell?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair, five zero.

Madam Chairperson: Very good. Meeting adjourned. All right, thank you everyone.



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**Yolanda Lucero**  
**Chairperson**

**ATTEST:**



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**Gloria Maya**  
**Town Clerk-Treasurer**

