

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 20, 2023, AT 6:00 PM

MINUTES

Chairperson Lucero: Okay. All right, we're going to get started with our meeting, okay? All right, I will call this meeting to order. The time is 6:19. First item, again, 6:19 June 20th, 2023. Everybody, please rise pledge of allegiance.

Commissioners: 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.

Chairperson Lucero: Thank you. Next item is roll call and determination of the quorum.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Present.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Present.

Mr. Salazar: Madam Chair Lucero?

Chairperson Lucero: Present.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Present.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Present.

Mr. Salazar: Madam Chair five zero. We have a quorum.

Chairperson Lucero: All right. Our items are changes and approval of the agenda. Do we have any changes?

Mr. Salazar: Madam Chair, no.

Chairperson Lucero: Okay. Then I will accept the motion to approve the agenda.

Commissioner Jones: So moved

Commissioner Walkinshaw: Second.

Chairperson Lucero: Moved by Commissioner Jones, second by Commissioner Walkinshaw. Call for the vote.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Chairperson Lucero: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair five zero.

Chairperson Lucero: Thank you. Our next item is public input. I am inviting the public to address any of the cases that are listed before us. Three minutes.

Woman: I'm Susan Kruger.

Chairperson Lucero: Yes, ma'am.

Susan Kruger: Thank you. I have a question about process. The first process for this evening was a special use permit hearing. That's all just a hearing. And this is certainly for patient in doing your due diligence and listening. On the second agenda, which you are now embarking on, that special use permit does not appear on the agenda, and you cannot vote on something that is not on the agenda. And that's public information for most people interprets it that way. They look at the agenda, what's on it, then they decide whether or not to come to the meeting and what to do if they do come to the meeting. And so it is my thought that you have approved or given the sense of approval through a public hearing to a special use permit that's not on the agenda. And you can't do that. It's not it doesn't follow the Open Meetings Act. And if it violates the Open Meetings Act, then you have violated the public trust or the public ability to participate in a meeting. So, that's just my thought. Thanks.

Chairperson Lucero: Thank you. Okay, we can call at the end of our meeting. Okay, all right, anybody else, any public comments? All right, moving on then to the approval of a consent agenda that would include the planning and zoning historical minutes of June 5th, 2023. Motion?

Mr. Salazar: So moved.

Mr. Salazar: Second.

Chairperson Lucero: Moved by Commissioner Salas, second by Commissioner Walkinshaw. Public voting.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Chairperson Lucero: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair, five zero.

Chairperson Lucero: Thank you very much. Moving on to new business is business license 1118 at 2244.

Mr. Salazar: Yes. Okay, I do have a case here. License number 1118 at 2244 submitted by Sarah Sanchez requesting approval to open up a home occupation business, homegrown midwifery, a zone historical residential. At first I did not know what that was so I had to Google it. I'm actually pretty informed now that I'm ready for questions.

Chairperson Lucero: Okay.

Mr. Salazar: Mrs. Sanchez is leasing. She does, it's in the packet, Mrs. Sanchez did sign a lease with the landlord. She is requesting a home occupation business license only for office space. There's no childbirth laboring going on in there or anything of sort, no medications or any of that nature. Strictly only for appointments, her business will be home calls. She would go to them. Mrs. Sanchez is a certified professional midwife and is looking to provide a service to our community and surrounding areas. Mrs. Sanchez is currently living in Radium Springs and we'll be moving to Messiah. Mrs. Sanchez's services will be an in-home birth and prenatal care, none of which will happen at the residence she is leasing. Her home occupation business license will solely be for her office work and set up appointments. She has submitted again the tenant-landlord lease. Her driver's license identify who she was. She does have a CRS certificate. She does have a bill under her name proving that she will be moving there. The parking is sufficient at the residence for about four or five cars. She mentioned that it will only be by appointment which generally one car at a time. She did submit a request letter again and certified license for her midwife certification. I stand by for any questions.

Chairperson Lucero: Thank you very much. I'll accept the motion to accept business license 1118.

Commissioner Jones: So moved.

Commissioner Salas: Second.

Chairperson Lucero: Moved by Commissioner Jones second by Commissioner Salas, opening it up for discussion.

Commissioner Walkinshaw: I did have a question. My understanding was she is not going to have any in her house any of her clients. She'll go to them. So, I kind of wonder if the parking issue it....(interrupted).

Mr. Salazar: No, she would have appointments people that would go to her house, but her practice would be going to them.

Commissioner Walkinshaw: Okay.

Mr. Salazar: You know, it's not like she will be checking the vitals. She wouldn't be doing anything else. She would make an appointment, maybe like a doctor's consultation, those types of things. Correct.

Chairperson Lucero: And this was reviewed by the committee?

Mr. Salazar: Correct.

Chairperson Lucero: Anything else, commissioners? I see none, I go on to vote.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Chairperson Lucero: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

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

Chairperson Lucero: Moving on to case 061647 at 2355.

Mr. Salazar: Yes. Okay, we are again 061647 this is a case that was tabled last meeting due to not being reviewed by a review board before the meeting. We did talk this is an addition to Double Eagle for storage. Mr. Maease is not here, Inspector Maease is not here, but he did approve of the plans. We did have a meeting with Mr. Ritter. Everything seems to be in order. All the documentation that the court requires is up to code and I standby for any questions.

Chairperson Lucero: Thank you, Mr. Salazar. I'll call for approval of case 061647.

Commissioner Rockstraw: Move to approve.

Commissioner Walkinshaw: Second.

Chairperson Lucero: Moved by Commissioner Rockdstraw, second by Commissioner Walkinshaw. Commissioners, is there any questions?

Commissioner Salas: I just have a quick question. Where did all the trashcans go? There's quite a few of them right there.

Mr. Salazar: Yes. My understanding is that the trashcans are still going to be in the same spot. There is going to be a cement slab port, so they're easy access to roll them in and out of where they're at.

Chairperson Lucero: Anything else?

Commissioner Walkinshaw: Yeah, I just, again, had a general question for the future. I appreciate the fact that you guys went and reviewed it. It's just even in an 11 by 14 by 17

format, it is really difficult to read it and try to understand because it seems like obviously you thought it wasn't identified in the write up, but there's a, like I said, you're going to do a slab, the whole entryway of there.

Mr. Salazar: To those stairs?

Commissioner Walkinshaw: It seems like there's and then there's a walkway to go to the...

Mr. Salazar: Sidewalk.

Commissioner Walkinshaw: The sidewalks. And then my understanding is that's a, is that breezeway back there or is that? I'm trying to understand what the outside walls can be, exterior walls versus interior. This is, I don't know.

Mr. Salazar: Yeah, Madam Chair, to answer your question, Commissioner Walkinshaw, I do apologize for the size. 11 by 17 is the largest we can print here. We do, that's one of the reasons why we do send emails with the digital plan so we can amplify that. Excuse me. I do understand you have questions and that's why you're here, right? So, there's nothing wrong with having questions. The applicant is here. If you wish, the commission wishes, he can come up and answer some questions for it.

Commissioner Walkinshaw: That's right. I have a little better understanding about, most of you were concerned about the historic, the outside building. And that's why I've asked questions about what are we going to see.

Mr. Ritter: It's going to match the existing building. It's just an addition to the existing building. I have a long back there and a store room and I'm just doing a new larger store.

Commissioner Walkinshaw: Looks like a few different stores, right?

Mr. Ritter: It is.

Commissioner Walkinshaw: Okay. And not only are they stores, but some of them are electrical. And so when I read it and say, well, I want to build a store, store essentially and so when I look at all these, what I can, I look at it, here's lot of different rooms.

Mr. Ritter: That's all there. That's all there.

Commissioner Walkinshaw: That's what's kind of hard..(to interpret).

Mr. Ritter: That's why it's sort of cloudy shadow.

Commissioner Walkinshaw: Okay.

Mr. Ritter: Only thing that we're building is what's not shadowed.

Commissioner Walkinshaw: Well, again, it's hard to see the shadow. Anyway, so and you're putting in new doors?

Mr. Ritter: No, no. Well, there's a door to the new storeroom.

Commissioner Salas: You've got new door. I'm confused. If you look at the south elevations, they're on the front. He has the building that, the actual building that he used. Oh, the rest of the stuff is already exhibited.

Commissioner Walkinshaw: Okay. I'm kind of used to seeing it on the plans.

Mr. Ritter: This is from the architect.

Commissioner Walkinshaw: I work with a lot of drawings.

Mr. Ritter: Well, I didn't really want to go to an architect for a storeroom, but I thought maybe y'all would like that.

Commissioner Walkinshaw: Okay. Thank you.

Chairperson Lucero: All right, let's vote please.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Chairperson Lucero: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

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

Chairperson Lucero: Okay, next case is 061650 at 3070 Estrada Road.

Mr. Salazar: Yes. Case number 061650 at 3070 Estrada Road submitted by Rosarito M. Rodriguez requesting approval to build an addition attached to her primary residence. This is Rule Farm. This again, this is another case that was tabled the last meeting we had due to not having enough time to review it properly. We did have a meeting on this as well. Mr. Maease again is not here, but he did approve of the plans and everything seems to be in order. The only concern that he had on the last meeting was what's going to happen with the pool while the construction is happening? And the where's he at? Oh, the gentleman back here, Pal Miller, he is here in case you do have some questions regarding that matter. But there is going to be a temporary fence that if need be will be put up. But I believe he mentioned to me that the work is not going to be done where the pool's at or is it?

Pal Miller: No, no.

Mr. Salazar: No. And the pool is fenced so there's not going to be any breach toward, again where the pool's perimeter where it's at so no danger of anyone falling in. I stand by for any questions.

Chairperson Lucero: Okay, the motion then to approve case 061650.

Commissioner Jones: So moved.

Commissioner Salas: Second.

Chairperson Lucero: Moved by Commissioner Jones second by Commissioner Salas. I'm opening it up for discussion. We have representative here.

Commissioner Walkinshaw: I guess looking at the plan I just had more questions because in the write up it says that you're going to do some internal improvements. That obviously

doesn't require our approval, but I'm a little confused where the master bedroom is because looks like on the main house area, you have some work in there and it seems like there's two windows looking at the patio or is it? It's not covered.

Pal Miller: That's opening up into the patio.

Commissioner Walkinshaw: Okay. And are you covering that?

Pal Miller: Those two in question I do not believe so. We are pulling out a window and putting a door in its place.

Commissioner Walkinshaw: Oh, okay.

Pal Miller: But that's all internal to the building, the existing building.

Commissioner Walkinshaw: Okay, good. Thank you. And then the bathroom, you're doing a bathroom?

Pal Miller: That is correct.

Commissioner Walkinshaw: That's internal also.

Pal Miller: Yes. The bathroom is expanding and putting in an asana and a steam room.

Commissioner Walkinshaw: And I was a trying to understand for my benefit is on the carport, obviously the drive into it and there's post, there's kind of where the pool is and so that's opened up, right? That's, I mean, it's a true carport. I'm trying to figure it out. It's mostly garage. It's all closed carport.

Pal Miller: Well, there's actually two open areas if you look on the print.

Commissioner Walkinshaw: Okay.

Pal Miller: So, that's why it's considered a carport because there will not be a door on the end of it.

Commissioner Walkinshaw: Oh, okay. And then next to the carport, it's kind of on the same line where it says proposed deck and carport that rectangular between the carport and house, you see that?

Pal Miller: Mm-hmm.

Commissioner Walkinshaw: What is that?

Pal Miller: Those are steps. Yeah, the deck is above the carport.

Commissioner Walkinshaw: Oh, Okay.

Pal Miller: That's why we're not going to affect the pool area in any way. Pool's only accessible by three doors and all three of those doors will remain locked. There's no reason for the construction people to venture back there at all.

Commissioner Walkinshaw: I think you said somewhere you're adding septic tank.

Pal Miller: That is correct. And you guys had some questions if the existing system would handle it. Our analysis did show that it would handle it, but the homeowner is very adamant of exceeding your requirements and efficiency, so she is going to put in the new system.

Commissioner Walkinshaw: All right. Thank you very much.

Pal Miller: Thank you.

Chairperson Lucero: Anybody else? If not, call for the vote.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Madam Chair Lucero?

Chairperson Lucero: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair, five zero.

Chairperson Lucero: Thank you very much. We're now going to staff. And Mr. Salazar did you want to expand on the issue?

Mr. Salazar: Yes. And I'd like to respond to Mrs. Kruger respectfully the hearing that we had was a special use hearing that was scheduled the same day and an hour before our regulatory meeting for the Town of Mesilla which we usually have. It was posted on the same sheet, but they are not tied with each other. The hearing in itself is not in the agenda because it's a hearing. It's not an action item, I guess, in the sense that needs to get voted on the agenda. The hearing is separate that needed to, required to vote and again, through our code follow the procedure within the 40 days, as I mentioned. So, that is why the commission...

Chairperson Lucero: Yeah, required on a special event that we act on that night of that hearing.

Mr. Salazar: Correct.

Chairperson Lucero: And it is stated in our code.

Mr. Salazar: That is correct, Madam Chair.

Madam Chair: Thank you. Anybody else, commissioners? Okay, commissioners, do you have any comments. So, I'll vote for adjourn.

Commissioner Jones: So moved.

Commissioner Rockstraw: Second.

Chairperson Lucero: Moved by Commissioner Jones second by Commissioner Rockstraw. Call the vote please to adjourn.

Mr. Salazar: Commissioner Jones?

Commissioner Jones: Yes.

Mr. Salazar: Commissioner Walkinshaw?

Commissioner Walkinshaw: Yes.

Mr. Salazar: Chairperson Lucero?

Chairperson Lucero: Yes.

Mr. Salazar: Commissioner Salas?

Commissioner Salas: Yes.

Mr. Salazar: Commissioner Rockstraw?

Commissioner Rockstraw: Yes.

Mr. Salazar: Madam Chair, five zero.

Chairperson Lucero: Thank you.

Mr. Salazar: Thank.

COMMISSIONERS

**YOLANDA LUCERO, CHAIRPERSON
DAVID ROCKSTRAW, VICE-CHAIR
DANIEL JONES
ERIC WALKINSHAW
DAVIE SALAS**

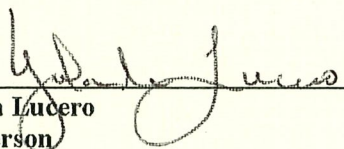
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EDDIE SALAZAR

PUBLIC SPEAKER(S)

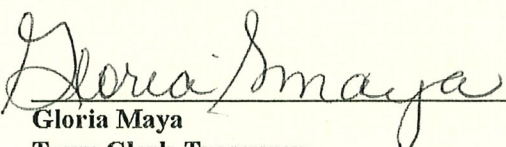
**SUSAN KRUGER
CW RITTER
PAUL MILLER**





**Yolanda Lucero
Chairperson**

ATTEST:



**Gloria Maya
Town Clerk-Treasurer**

Meeting Sign-In

Town of Mesilla PZHAC Meeting

Date: 7/3/2023

Facilitator: Town of Mesilla

Time: 6:00 PM

Place/Room: Mesilla Board Room

Print Name	Address or Organization	Email or Phone Number
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2. Kimberly Jorda	2060 calle de parian	
3. Rhia Hernandez	GREEN TREE BUILDERS 1910 Calle de Parian	greentreebuildersllc19@gmail.com 575-640-2790
4. Catharine Walkinshaw	2134 Calle de Principal	575 932 8313
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