



Town of Mesilla, New Mexico

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION
(PZHAC) WILL BE HAVING A PUBLIC HEARING AT THE MESILLA TOWN HALL,
2231 AVENIDA DE MESILLA.
MONDAY-OCTOBER 20, 2025 @ 5PM
(MINUTES)**

COMMISSIONERS

Lori Miller – Secretary(acting Chair)
Rosemary Alvillar – Commissioner
Martha Mulvihill – Commissioner
Stevie Paz – Alternate Commissioner
Mary F Lucero - Alternate Commissioner

STAFF

Eddie Salazar – Community/Economic Development (CED)
Liana Aguirre – Historic Specialist

PUBLIC

Michael Landford	Mary H Ratje
Andrea Bryan	Meghan Quiñones
Greg Lester	Craig Gifford
Bill Cook	
Janice Cook	

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL AND DETERMINATION OF A QUORUM**

Eric Walkinshaw – Chairperson	absent
Eric Gallegos – Vice Chair	absent
Lori Miller – Secretary	present/acting Chair
Martha Mulvihill – Commissioner	present
Rosemary Alvillar - Commissioner	present
Stevie Paz – Alternate Commissioner	present/fill in
Mary Lucero - Alternate Commissioner	present/fill in

Quorum 5/5

**CONSIDERATION WILL BE GIVEN TO PROPOSED AMENDMENTS TO OUR
LAND USE ORDINANCE TITLE 18, IN SPECIFIC WITH ITS HISTORIC
PRESERVATION REGULATIONS, NECESSARY IN MEETING STATE OF
NEW MEXICO, CERTIFIED LOCAL GOVERNMENT QUALIFICATIONS.**

Becoming a Certified Local Government in New Mexico

**Access to Historic Preservation Grant Funding
Technical Assistance & Expertise
Stronger Local Preservation Tools & Policy
Partnerships & Recognition
Long-Term Heritage, Economic & Cultural Benefits**

CED Salazar gave a brief summary of why the hearing is being held. Introduced Mesilla Historic Specialist, Liana Aguirre and advised she will be doing the presentation regarding NM Cultural Affairs certification requirements to become Certified Local Government.

Liana Aguirre – To elaborate on what Mr. Salazar was saying. The certified local government program. As you can see there was a little handout and I just handed this out to you, commissioners. I'm just going to read this introduction and then I'll elaborate a bit further as to the benefits and why the town is in need of this certification. So just the introduction here preserving important historic properties became a national policy through the passage of the Antiquities Act of 1906, the Historic Sites Act of 1935, and the National Historic Preservation Act of 1966 as amended. The National Historic Preservation Act instructed the federal government to assist local governments in expanding their historic preservation programs and activities. The National Historic Preservation Act, however, provided no opportunity for local governments to be formally involved in the National Preservation Program. In the 1980, amendments to the National Historic Preservation Act provided a specific role for local governments to be involved in the national program by establishing this certified local government program. So, he had Mr. Salazar has hit on some of the benefits of the certified local government program. It goes beyond funding really. I mean funding is an awesome benefit we can have. A lot of the funding comes from offshore drilling at this point. 10% is allocated to every state and then every state will distribute that 10% amongst their CLGs within the state. So that's how that works. Unfortunately, I'll tell you forward now that after a conversation with our state historic preservation officer, the deputy, there is no funding right now through the program itself. However, there is a historic preservation fund that is available and there are other resources that the historic preservation division in New Mexico out of Santa Fe that they also forward these grant opportunities to us to help us with that cause. So just to just to recap you know the certified local government it's an option but it's also an optimal means for effectively preserving our historic properties here especially here within the town of Mesilla and we receive this assistance from the historic preservation division along with partnerships with the national park service we're offered this as I was mentioning historic preservation fund assistance, but this is also making an agreement. It's the town making an agreement, a legal agreement stating that we are going to preserve our historic properties. If you read the Historic Preservation Act of 1966, it's almost like a declaration and saying, you know, the historic properties are one of the truest and most important things to our a culture and to maintaining these historic properties and heritage as well. It also establishes a level of credibility for a local historic preservation program by following state and federal preservation standards.

So, we'll be using a lot of the Secretary of the Interior standards for preservation and they're in our they're already in our code if you haven't familiarized yourself with them. But these are the standards for preserving and this is what we will be held to with this certified local government uh certification. With these we incorporate all these into our municipality and the federal and the state preservation programs with hopes that this can help the town and I'm also saying help not only help but motivate the town to develop a strong local preservation plan. It offers benefits and we're also offered tools to carry out the preservation for preservation activities overall.

Also these grants can also help us that we're able to receive ultimately what we were told was hopefully in three years the grants can once again begin and I'm in my train of thought, I'm thinking they're thinking three years after the administration that we might be able to receive some more u funding. However, the funds that we can receive can fund a wide variety of projects, including our surveys, which we are in serious need of to preserve all our historic properties. Our national register nominations, some rehabilitation work, um our desired guidelines, just an improvement or adjustment, educational programs, training, uh structural assessments, and uh feasibility studies. And that's just, you know, the tip of the iceberg there. The historic preservation has been proven to be economic environmental to have economic environmental and social benefits. The studies show that historic districts maintain higher property values, less population decline, more walkability and a greater sense of community. And being a CLG demonstrates our community's commitments to saving what's important from the past for future generations to come. You know, as a certified community, it becomes easier to demonstrate a readiness to take on successful preservation projects.

So, in order to meet the requirements for our certified local government two we have submitted our code a few points. So there were a number of points that had to be adjusted, things that were required for our code in order for the certification to occur. So that is what this new proposal is amending here. We're adding all these new sections. Well, not many. We're just adding on. A lot of them are additions. There're possibly two new sections that are in there as well that will help to meet the criteria that is set forward through the historic preservation division. I will go over those briefly and as you've seen, if you have the packet with you they're all within our chapter 18 which is our zoning and they fall under it's 1806.020/1806.070/1806 080 and then following on you'll see there's the 1833 section on historic preservation that has also been amended or hopefully will be and that will be just go over those briefly so that you know where to direct these here it's 1833.030/1833.050/1833.070 and lastly 18.33140. I have also requested an additional section after that which we will go through. So the majority of what needs to be met and if you have your handout with you, you'll be able to see that the CLG application and this is on the back of the paper. We need a letter from the chief elected official requesting certification request for CLG status. That I might like to put a check next to because we have that's something that the mayor will provide. We are requiring a list of members of the preservation commission and their resumes. We're about 80% on that. That part I require of you to please do supply me with a copy of our local historic preservation legislation.

This is something we can move forward with after we adopt these. A copy of the local historic preservation plan or element of the general plan which falls under the code as well. The resumes and professional qualifications are something I'll request of you as well. A list and map of all locally historic properties which we do have along with our national register properties and that's what we will be using for this map in particular. The certification agreement and our certified local government application. So those two are a check as well. So this is probably one of the last step with the exception of your resumes to move forward.

All right. So I'm just going to move along just to the point that we're going to hit here. Just a reminder, so the National Register are properties that are registered with the national register. However, a locally registered property holds more power than the national register. That means our code is what guides that historic preservation. So that's a huge part of the certified local government. So I'll move just to the 18.06.020.

So here we go. So this is speaking of the appointment of planning and zoning historical appropriateness commission. As you all know it consists of five members who shall be appointed and then we have our also alternates as well but what I have added in that was not in the code is of the letter B here that says each member must have demonstrated positive interest competence or knowledge in architecture history architecture architectural history engineering archaeology anthropology, history, preservation, planning, real estate, design, building trades, landscape, architecture, conservation, law, finance or related disciplines to the extent that these professionals are available in the community. So mainly just to elaborate on whether we as far as long as you have a positive interest and you show your positive interest, which is why they do require you a letter of intent. For the certified local government you are qualified. Now additionally we also need letter C of the five members two professional members should be qualified in the disciplines noted above.

So we just need two professionals in that field, and I guess there are seven of you commissioners in total. So five of those just need to show your interest in historic preservation, which I think you have. Okay. So that would be in 020 in that section. Are there any questions on that at all?

Commissioner Mulvihill - What if we don't have two members that are qualified?

I am one of the qualified and the other just so that you know at this point would be Chair Walkinshaw. Mary, did you have a question?

Commissioner Lucero - pardon me? I'm so sorry. As far as the qualifications, when you're saying the two professionals, do they require to have all of the above?

Liana Aguirre - No, ma'am. It can be just one.

Commissioner Lucero - Okay, and secondly, is there something or some kind of training that you can give us

to be able to try to get to these qualifications a little bit better?

Liana Aguirre - I personally my plans are to give some historic preservation education because how can I move forward if I don't? However, I unfortunately can't make you a professional, but I can educate you in what we need to know. You'll see commissioner that moving forward that is a requirement also for the certified local government is that he planning zoning and historical appropriateness commission shall meet first and third Monday of each month or on days spec specified by the board of trustees. Regular and special meetings shall be called as required by the Mesilla code 2.70.010 which we do and what I'm adding on to that is the commission will meet a minimum of four times. One meeting a year shall be dedicated to education and training and that's supposed to finish off with historical preservation there.

So we've already had that first. The historic preservation division wants a number. We're definitely meeting more than four times a year, but they like to look at that as you're definitely having four. That is the minimum requirement that they ask. So that is the reason why that number is there.

Commissioner Lucero - I personally would like more training.

Liana Aguirre - I would be more than happy to do that. I'm excited to do that actually.

In 18.06080 item six, as Commissioner Miller stated, that exercise such power, authority, jurisdiction, and duty not inconsistent with this code and incidental and necessary to carry out the purposes of section 3192 and sections 3211 and through 32126. It was the 26 that was adjustment.

So, yes and you know I think there's so many acronyms that happen in here and I think it's hard for people who aren't always you know or educated but just to let you know the NMSA 1978 is the New Mexico statutes annotated. So, it's a great resource if you'd like to know a little bit more about um the New Mexico law. Okay. So, now thank you. Thank you for that, Commissioner Miller. We'll be moving forward here to 1833. The authority and that's just a very small brief addition as well. The designation of the town's historic zone is made pursuant to the historic districts and landmarks are act section 3221 through 3227. It used to be six which is a small adjustment but we've adopted that as a resolution, I believe last November. It will be also written in the code. So, and that's just extension on that NMSA 1978. I've also added a set of definitions. I believe in every change or addition it's important to put these definitions too for clarification We have here the majority of them encompass the additions and changes we were making to so just to briefly go over the definitions we had a definition for landmark but we've expanded that to historic landmark which is; a structure or site that is worthy of rehabilitation restoration reconstruction and preservation because of its historic and/or architectural significance to the town of Mesilla pursuant to the procedures set forth in this chapter. We've also added historic district which is and historic district is any area which includes or encompasses such historic sites, landmarks, buildings, signs, appurtenances, structures or objects as the commission may determine to be appropriate for historic preservation. Such designated districts need not be a single enclosed area nor do the area or sites have to be contingent to constitute a district.

For next definition would be for the historic preservation division which is defined as the division within the state of New Mexico's department of cultural affairs that is responsible for historic preservation within the state of New Mexico. The historic preservation division may be referenced as HPD and also may be referenced as the New Mexico State Historic Preservation Office. And that's people will say it's HPO, but the common lingo is SHIPO. Um, some more acronyms for you there. Then we'll add it on locally designed. I'm sorry, excuse me. Locally designated or local designation is defined as designation by the town of Mesilla as a historic landmark or historic district pursuant to the procedure set forth in this chapter. Then there's another one, the NMRSIS.

That's what we call this one, the New Mexico cultural resources information system. And that is defined as a state of New Mexico online database of cultural resource information maintained by the archaeological records management section, which is ARMS of the New Mexico Historic Preservation Division. Moving a bit further down, we've defined owner consent, which is the act or result of reaching consensus and agreement through reason and deliberation by the owners of real estate when historic designation is proposed at the suggestion of another party. And then following that is owner objection which is the right of all owners of record to object o to object to a proposed historic landmark

district or local designation of its buildings, structures, objects or other improvements and the parcel of land to which those improvements are firmly attached or affixed. Any questions?

One the last one is for SHIPO, which is the state historic preservation officer and that is that is defined as the governor appointed official responsible for a state's historic preservation program. The state historic preservation officer is also known as the director of the historic preservation division or HPD and the office may be referenced as the SHIPO which is the state historic preservation office. Any questions on that for you there?

All right. So, moving forward. Now we'll be moving to the section 18.33.070, the powers and duties of the planning and zoning historical appropriateness commission relating to historic preservation and leading to um a there we're conducting and maintaining a survey of historic buildings. So I'm I'll just retract here because it sounds weird just alone. In addition to the powers and duties stated elsewhere, the planning and zoning historical appropriateness commission shall take action necessary and appropriate to accomplish the historic preservation goals of this chapter. These actions may include, but are not limited to, conducting and maintaining a survey of historic buildings, landmarks, districts, places, and areas, and preparing a plan for their preservation inclusive of a survey standard for historic properties. Uh then following B recommending to the board of trustees the town of Mesilla's designation of historic landmarks and historic districts and properties with potential for local historic designation using the corresponding form. And so just that we um uh the commissioners that you're aware I have completed a form that for local historic designation where anyone including yourselves any group is able to um to historic locally designate historic properties and just this is how we'll begin almost like a catalog our own uh compilation of historic buildings just as a national register you would do with the national register.

Okay, then we'll move down to letter I here. It's also limited to uh attending educational programs covering the historic preservation duties of the planning and zoning and current developments in the historic preservation. There will be at minimum one regular meeting set aside informational or educational purposes for year per year, excuse me, pertaining to the work and the functions of the planning and zoning historical appropriateness commission. Meetings shall uh notification shall be sent to the HPD in a timely manner so that they may attend such meetings and or provide information. Reporting about HPD and grant funding shall conform with fiscal accountability guidelines in the certified local government manual grants manual and to maintain the certified local government certification status. And I think that it' be a huge benefit to us um to have the state uh sipo or the historic preservation division come down and engage with our community to also describe what the benefits may be. Um there's a topic um when you're a registered property uh you're able to get a tax credit uh and that is a great benefit that I think a lot of the residents don't know of. Um but hopefully I'm working on getting our SHIPO to come down and have a meeting with us and with the town to explain these benefits and uh hopefully motivate some more people.

Just following to letter J. Uh participating in the nomination of properties to the state register of cultural properties, the national register of historic places and of locally designated historic places.

And then I added one more section there or excuse me one more um

yeah one more section down where it says um an annual report of the planning and zoning appropriateness commission historical appropriateness commission shall be reported to the state historic preservation officer and this includes the number of cases reviewed new designations made resumes of commission members schedule of commission attendance records all commission minutes. The report shall also document the educational and training efforts of commission members. The report shall be due within 60 calendar days of the end of each fiscal year. Submittal of this report is required to maintain the town CLG status. And I believe as um as Mr. Salazar mentioned last our last meeting um I become u members of a few of the national preservation um organizations and I uh that is a great learning opportunity for me and for all the commissioners uh and I would really love to share that with you. You're also able to attend webinars to that which is another great opportunity and the emails there's a lot of uh conferences as well with them.

And that's just that's just the minimal of that. There's a lot of benefits as being part of these being a member of these organizations. And one of the newly added sections that I've put which I've labeled 18.33.071 where are the survey standards of historic properties?

we started with a and I'll try to go through these but um just were there any questions about the previous

comments. Um no tell me later.

Um and I just want to thank you all for hearing me out. I know this is a little wordy a little lengthy but please if you have any questions let me know. Um so with the survey standards of historic properties um we want to start with an inventory efforts shall conform with and be coordinated with the new Mexico cultural resource information system which is known as NMCRIS um utilized and maintained by the historic preservation division. So we'll be using the same survey standards um along with um uh the same survey standards that the historic preservation division is using. This way it's easily translatable to them as well. Surveys shall utilize the historic cultural properties inventory act. I'm sorry the cultural properties inventory form which that's known as a HCPI and be required for each property surveyed. So the HCPI is also another form tons of acronyms. Sorry. Um the that form is also a form utilized by the historic preservation division. It's a bit less uh technical than the uh NM CRIS, but it does a great job on elaborating uh surveyed property. The HCPI forms shall be created for all properties that are designated by the town of Mesilla and be periodically updated to reflect changes, alterations, and demolitions. Uh, HCPI service forms shall be completed by the historic preservation professionals who meet the secretary of interior's professional qualification standards which was under that act of engineers, planners, historic planners. of those are the uh professional qualification standards. Uh and you can find those on the given on the given website if you're curious. Uh and then the finally um the survey and inventory material shall be maintained securely and be accessible to the public except when confidentiality of site information is mandated through 1861 NMSA and the archaeological resources protection act 063 USC 470 HH.

Okay. And just moving forward to 18.33.140, the designation of landmarks and historic districts. The Planning and Zoning Historical Appropriateness Commission may study a property or an area in order to make a recommendation on whether it qualifies for designation as a locally designated historical property, a historic landmark or historic district. The town encourages any property owner of record, a contract purchaser of a nominated property, individual or group of town residents, association with members who are town residents, or the planning and zoning on its own initiative and with prior consent of the town that they may request landmark or designate or district designation for any building, structure, object, improvement, or site which is located within the corporate limits of the city and which may have historic significance as set forth in the criteria for evaluation. These nominations can be made by using the local landmark or historic district designation form for the town of Mesilla supplied by the historic preservation specialist upon request. Any structure listed in the National Register of Historic Places may be designated as a historic uh property subject to the procedure stipulated herein.

We move on to B. So no such person, group of persons or association nor the commission shall be required to obtain the consent of the owner of record of the building, structure, object, improvement, or site prior to filing the application for historic landmark, district, or local designation. Owners of record have the right to file an objection to the proposed historic landmark designation of its property as set forth in section 18.33.141. Any questions on that? Okay.

And last but certainly not least, we're moving on to the newly another newly added section here. It would be for chapter 18.33. And I've added 141. It previously ended at 140. And this is for owner consent for register uh designation. The town of Mesilla with approval from the planning and zoning historical appropriateness commission may designate historically significant properties, structures, sites or districts as historical landmarks or historical districts. historic districts based on criteria established in the municipal code regardless of property owner consent. Property owners and

members of the public shall have the opportunity to provide comments during the designation process at the planning and zoning determination meetings. However, lack of owner consent shall not preclude designation if the property meets the criteria for historic significance. Property owners may appeal the designation to the town council within 30 days of final notice and the planning and zoning historical appropriate commission may uphold or overturn the designation based on evidence presented. This provision affirms the town's commitment to preserving its cultural, architectural, and historical resources for the benefit of the community and future generations. So, it's a lot. Yes, my pleasure.

Commissioner Alvillar - I just have a quick question on the um when the property owners if you nominate that um building and they appeal um they don't want it to be historic um but yet we can do that then what happens if or they appeal it is the decision made before we look at it as in as in this section that's newly added because the said that you appeal it, but it didn't say what would happen if the if it was said it it's okay. We don't have to make it historic.

Liana Aguirre - I'll elaborate on something and then you tell me if I'm answering your question. Okay. Um what is able to happen is anybody is able to nominate um a local designation. After that the case or the nomination form will be brought forth to the commission uh and it would be either approved or denied u and this is all on the basis of significance and integrity. The commission has to find it with enough significance to make it historical property. However, if um if the owner appeals and says they do not want their property, then that would also be brought forth in front of the commission and then the destination.

Commissioner Miller - And then vote again on the appeal.

Liana Aguirre - Yes. Correct.

Commissioner Lucero - at any time at that point go to the plan uh the board of trustees or would that come back to planning and zoning?

Liana Aguirre - for the um approval or denial approval it would be brought forth to the Board of Trustees afterwards as a final you know as a presentation almost. Yeah, after we have voted upon it then it'll be brought forth just for a final determination. Any other questions?

Commissioner Lucero - One more question. Would it be possible to add more training to to the actual like maybe three trains out of the year instead of just the one.

Liana Aguirre - Absolutely. U that is another requirement from the historic preservation division that we notify them and with hopes that they come down for that one meeting as well. So they're able to elaborate. So that's mainly with them. But um I would be happy to conduct some further educational meetings, particularly on the Secretary of Interior Standards because I think that would be a great benefit to all of us. Any other questions? So I hope you um I hope everything uh it was clear. Um and if it's not, please, you know, my office is here. um please feel free to discuss this with me, but it's a great opportunity for our town. Um I think we're in in in dire need of uh a movement on historic preservation and it would benefit us greatly.

Commissioner Miller - So, how many resumes are we missing?

Liana Aguirre - Um I only have Eric's.

Commissioner Miller - I guess I assume that our application for the position was our I consider that my resume.

Liana Aguirre - No, it's awkward when I try to access it or my file in particular, it said it doesn't allow me to do it. It seems like I ask because I'm guilty as charged. Thank you and what I would say also is to submit your resume and I think a cover letter or just a tiny few phrases showing your interest and your desire for historic preservation with the town. That way it can solidify things a bit more with the with the historic preservation division here. So, okay. Okay.

Are you going to send us an email to remind us as soon as we get your emails ready?

But no, I'm really excited to get your emails going because I want to begin just, you know, we can't do this if we're not educated. We can't make the correct decisions. We can't see the big picture if we're all we're not on the same page. So that would be great. I'm looking forward to it. Thank you all so very much. It's a pleasure. Thank you,

Commissioners Miller - Anyone in the public like to make a comment? It's 5:52 by my watch. I know that.

**THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION
(PZHAC) WILL BE HAVING A REGULAR MEETING AT THE MESILLA TOWN HALL,
2231 AVENIDA DE MESILLA.
MONDAY-OCTOBER 20, 2025
IMMEDIATELY AFTER HEARING
APPROXIMATELY @ 6PM**

Commissioner Miller - We are here for the PZHAC meeting Monday, October 20th. We'll start with the pledge of allegiance.

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL AND DETERMINATION OF A QUORUM**
3. **CHANGES / APPROVAL OF AGENDA**

1st Motion to approve made by Commissioner Alvillar

2nd Motion to approve made by Commissioner Paz

No Discussion

Commissioner Miller	yes
Commissioner Paz	yes
Commissioner Alvillar	yes
Commissioner Mulvihill	yes
Commissioner Lucero	yes

Approved .

4. PUBLIC INPUT

The public is invited to address the commission regarding items listed on the agenda as allowed by the chair. You can also email your comments to clerktreasurer@mesillanm.gov at least seventy-two (72) hours prior to the meeting. All comments/questions need to be in a professional and respectful by EVERYONE while quorum is established. The Chairperson has the authority to determine when matters are distasteful and he/she will address them accordingly.

No public comment

5. APPROVAL OF CONSENT AGENDA

**Note: Items on the Consent Agenda, indicated by an asterisk (*), will be voted on with one motion unless the commissioner requests that a specific item be removed for discussion.*

- a. ***October 6, 2025, PZHAC Regular/Hearing meeting minutes**
- b. ***RESOLUTION 2025-62** – 2886 Snow Rd, rezone recommendation to the Board of Trustees. (10/6/25 public hearing) ZONE: Rural Farm (RF)

1st Motion to approve made by Commissioner Alvillar

2nd Motion to approve made by Commissioner Lucero

No Discussion

Commissioner Miller	yes
Commissioner Paz	yes
Commissioner Alvillar	yes
Commissioner Mulvihill	yes
Commissioner Lucero	yes

Approved 3-2, motion passes.

6. ACTION AND CONSIDERATION

- a. **CERTIFIED LOCAL GOVERNMENT** – amendments to Mesilla ordinance as presented during the public hearing.

1st Motion to approve made by Commissioner Alvillar

2nd Motion to approve made by Commissioner Mulvihill

Commissioner Miller	yes
Commissioner Paz	yes
Commissioner Alvillar	yes
Commissioner Mulvihill	yes
Commissioner Lucero	yes

Approved 5-0.

- b. **PZHAC SIGN CASE#062059** - 2340 Calle de Principal, submitted by Taylor-Reynolds-Barela-Mesilla Historic Site Gift Shop. Requesting approval to install a sign on an existing projecting bracket mounted on the wall. ZONE: Historic Commercial (HC).

1st Motion to approve made by Commissioner Alvillar

2nd Motion to approve made by Commissioner Paz

No Discussion

Commissioner Miller	yes
Commissioner Paz	yes
Commissioner Alvillar	yes
Commissioner Mulvihill	yes
Commissioner Lucero	yes

Approved 5-0.

- c. **PZHAC CASE#062060** – 2290 Calle de Parian, submitted by Felix Armijo. Requesting approval to reopen and old doorway and install a new door. ZONE: Historic Commercial (HC).

1st Motion to approve made by Commissioner Alvillar

2nd Motion to approve made by Commissioner Mulvihill

So this is case number 062060. Location is at 2290 Called Parian. It was submitted by Felix Arm. He is requesting to reopen an old door that is sealed right now. Currently there is an existing frame that looks like a doorway but it's just a door placed in for cosmetics use. He's requesting to be able to move that out. The door is a little bit narrower than the

rest of the other doors. I did consult with Miss Aguirre as far as the design and the structure. The widening that door for ADA requirements. The agreement between fire and all of us when we review it was it does need to make ADA Requirements. At the least you can go from 32 to 36 inches on a commercial door and then it's requested by Mr. Armijo. Only widen the door up to 32 inches which is the minimum so that it has little damage on the existing building and not remove more of the building that's necessary. The new door will be similar to the other four doors of his commercial building. The door will be wood with wood pane windows to match the other doors. A condition that the door will be up to the minimum ADA standard, which I believe is 32 in. He will require a CID permit when he does this.

Commissioner Mulvihill - Mr. Salazar. It is 32. I just looked it up. Correct. It is 32 in.

Commissioner Miller	yes
Commissioner Paz	yes
Commissioner Alvillar	yes
Commissioner Mulvihill	yes
Commissioner Lucero	yes

Approved 5-0 w/condition the door measure the 32", which is the minimum ADA approved width.

- d. **PZHAC CASE #062062** – 1970 Calle Pacana, submitted by Andrea Schneider. Requesting approval to build a shed in her backyard. ZONE: Historic Residential (HR).

Request submitted by Andrea Schneider requesting approval to build a shed in her backyard in a HR zone.

1st Motion to approve made by Commissioner Alvillar
 2nd Motion to approve made by Commissioner Mulvihill

The shed will be a site built shed. It's not going to be a temporary one that you buy, you know, at Home Depot or anything like that. The contractor is actually going to build the shed there in place. The shed will be permanent with a concrete foundation, electricity. The shed will be built out of lumber to match the design standards of the home and neighborhood. Exterior will be plastered with adobe brown color. The shed will be approximately 10 by 20. It will be located 12 feet away from the western property line which meets the setback. New Mexico licensed contractor Jake has been hired to do the job. He applied and received the Mesilla license as well. Mesilla Town Code 1835.060B development standards a minimum of 40% of the property should be open space. Mesilla code 18.35.060D, minimum of 7 feet requirement setback. As I mentioned, it is 20 feet away from the western property line that meets that and then 18.35.060. Requirements for architecture style standards have been met. Is going to match the existing house and the development homes in the same area. Proof of ownership, contract agreement, business license, contractor license, site plan, wall section plan, foundation plan, elevations, electrical plans, roof plans. Fire Chief, Greg Whited, New Mexico CID inspector Tom Maeser and myself have signed it. Mr. Lorenzo is on vacation.

Commissioner Miller - There is another little small electrical building going.

CED Salazar - Yes. Along with that shed, correct.
From here, then it would need to go to the board of trustees for final approval.

Commissioner Miller	yes
Commissioner Paz	yes
Commissioner Alvillar	yes
Commissioner Mulvihill	yes
Commissioner Lucero	yes

Approved 5-0.

- e. **PZHAC CASE#062063** –2488 Calle de Guadalupe, submitted by Irma Chavez-May. Requesting approval to install shading/screening around her outside patio area. ZONE: Historic Commercial (HC).

The last action and consideration item is that case 062063, 2488 Calle de Guadalupe submitted by Irma Chavez, requesting approval to install shaded screening around her outside patio. Looking forward to a fall and winter season. I was kind of like up in does this need to come to the commission? Is this a structural thing? You know what I mean? So, to me, I just error on the safe side, right? I don't really think this is a case that really needs to be brought up to the commission, but it does change the appearance. So basically there is a patio already existing. Patio frame was already there and she wants to put screening which is the color tan is going to match the building. It's earth tan brown if you want to call that and is also going to have some cutouts with some plastics on the windows to be able to see you know how and again most businesses do this for weather to kind of help a lot of the uh customers sit outside in the patio and continue to enjoy their beverage or their meal in a sense and this is at Mandelyn's. I will stand by for any questions.

1st Motion to approve made by Commissioner Alvillar

2nd Motion to approve made by Commissioner Mulvihill

Commissioner Miller	yes
Commissioner Paz	yes
Commissioner Alvillar	yes
Commissioner Mulvihill	yes
Commissioner Lucero	yes

Approved 5-0.

7. DISCUSSION

3100 Snow Road, requesting review of legal access to the property via DiMateo Road.

CED Salazar - We're moving on to item seven, discussion. 3100 Snow Road requesting a review of legal access to the property Now, this is not a voting item, so there's no motions requirement. This is just a discussion. There is a property if you look at the packet at the very it is at 3100 Snow Road. It was submitted by Greg and Jennifer Gifford.

Requesting review of legal access by a vehicle to their property. The reason why they're doing this is because before they invest any money, time and such they want to they this requested that we review their property and make sure that they do have legal access to it before again have an architect and an engineer design their home and subdivide their property. The reason why they question it is because it is at the very end of DiMatteo Road and there is an ingress egress to DiMatteo Road. All the properties that are lined up from Snow Road on the north side. His property if you look at the warranty deed and memorandum of real estate, mentions there in the warranty deed is a right-of-way line of the Del Rio Drain along the north line of DiMatteo Road a 30 foot wide ingress egress and utility easement. Now, it mentions that easement. That's a 30-foot road, but it doesn't mention if the ingress egress is the real drain or is it the 30 foot road. Is it the one going towards Snow Road? He wanted to make sure that the commission agrees that it is a 30-foot road snow road. So that way there's no in dilemma saying well no that's the wrong ingress egress. Of course we cannot approve a subdivision or a lot split or even a residential site built if it doesn't have legal access.

I did again I did search some state statues. There is a prescriptive easement New Mexico state statute 47-12-3 the definition is a prescriptive easement can arise if people have used a property openly notoriously continuously and adversely without the owner's permission for a statutory period. Perspective period courts and statutes in New Mexico generally point to a 10-year period as a relevant time frame. So, it is pretty self-explanatory. What that means is if that if that road has been providing access to the community or any lots that area for longer than 10 years, that is considered to be a prescriptive easement. Okay. That's one way to look at or one state statute that I found. The other one is an easement by necessity. New Mexico State statute 47-1-4. An easement is by necessity may be imposed if a parcel is landlocked and original grant conveyance implies the granter intended access. This does not depend on the 10 years of use by a circumstance conveyance in the necessity. So it doesn't have to be 10 years. Again I don't think these statutes are necessary but available for review. I think the property does still have legal access. It's just there's more if that's not enough with the 30-ft easement. My discussion is to give you the information that I found and to see what the commission thinks or any opinions or objections. Mr. Gifford and Miss Gifford would like to proceed after this to subdivide their property. They have a 11 acres at the very end and they're purchasing the property right now. They're being financed and the agreement they had which obviously is not relevant to us. Whenever they've paid enough on that property that they'll be able to subdivide that property into two. They'll be able to own one of those parcels and

continue to pay on the other one. The reason they want to do that is build a home. They don't want to wait till the property is finished paying before they can actually do anything with it. The minimum standards for RF zone are five-acres. So he understands that he needs to meet fire code. You know as far as the road the ratings of the road like the Fire Chief had mentioned before. He did speak with him already.

Commissioner Alvillar - I have a comment. I don't know question or whatever but that road when I was little the road has been used when you go hunting back there for quail all the time so it's always been there. I think the only matter that could arise would be if somebody else because that road's been there so nobody else has said you can't use it so the only time that something would happen because all these easements are prescriptive if it's been there it's 10 years or not or whatever it's there so they should be able to. The only matter that might arise is if somebody complain, says no you can't or if the county decides that. I don't know what the county could decide but if we've already decided this part of it can the county say oh those other 15 feet never mind you don't have it anymore after they build that's all I can foresee as for right now It's always been there. How can it not be continued if there at the very end? We've always used that road.

CED Salazar - That property belongs to Stallman's Ranch. I mean, it's the whole length of those properties there. I also reached out to NM EBID because it does cross the drain into their property. I just wanted to confirm that that particular crossing was okay with them. So, I reached out to them but haven't heard back from them.

Commissioner Lucero - I understand that you have access to the DiMatteo road, but at this point or at that point when they build or the subdivide, do they need to have a turnaround for the fire truck like because I don't see are they going to go around the block or how is the fire truck going to come back out?

CED Salazar - We had the a little bit of training on that. On our conference, right? The very first thing we need to do is make sure they have legal access. Once that legal access is established, then the subdivision request will come in and those are the kind of questions that we will look for. Fire did speak with them. It's got to be rated to 75,000 pounds of gravel, the compaction, the engineers going to have to go there. The turnaround, all that stuff would have to be in compliance for sure. Maybe even a fire hydrant all the way. I don't know. Right now we just want to make sure to establish legal access to it.

Commissioner Mulvihill - So, we have actually no control of what the county will say later though, right? I mean, if hopefully that they never changed that, but we don't have any control over that, right?

CED Salazar - No, we don't have any control, but we will confirm that the county is going to allow it. I mean, we can't agree to give legal access if half of that road is not ours right? But again, if it falls under these two other state statutes

Legally. So, they still have legal access to it, but I will confirm before that because I asked the county one time and they said, "Well, that's not our road." I'm like, "Well, that's not ours either." So, nobody really wants the road. Nobody wants to maintain it. I don't know. But maybe Stohman's Ranch has their own easement. Maybe that's the 15-foot belongs to them. I would have to reach out to them. So again, this is just all discussion. So good stuff. Good questions.

Commissioner Miller - I'd like to see that solidify.

CED Salazar - Yeah, of course.

7. COMMISSIONERS / STAFF COMMENTS

Commissioner Miller - All righty, next um item is commissioners staff comments. I would like to ask how the training went.

CED Salazar - I thought the training wet very well. As a matter of fact what I'm going to start doing is just a thought but I thought about it too late. Is every time we go to these conferences I want to put together some kind of summary of what we've learned or what I've learned right because sometimes depends on how you look at things when you're learning is a matter of interpretation.

The first topic was food trucks. Food trucks relating to food truck ordinance. One of the past presidents of the league, Adam Ochoa did the presentation and he talked about food trucks, pros and cons. Made me realize some of the things that would impact the community. So kind of gives you an idea. The other topic was temp RV parks and tiny homes. Which kind of led me to other questions. Was and this was presented by a Tiffany I think it was. Trisha Trisha it was Trisha and from Carlsbad. It kind of made me think well they have that issue there but because there's a demand for oil right? All these people are going to work and so they have huge amounts of space that they're being used for temporary RV parks. It just blew my mind of the impact it has. The water usage, the power, and gas, the enforcement part of it. I mean it creates some kind of revenue, not as much as I think they should be bringing in.

What is it going to take to maintain, to regulate, to enforce, right?

Another thing they talked about was tiny homes. You know, one of the things I do want to bring up with that is tiny homes is getting more and more popular. Along with barndominiums, you know, right. Homes out of metal buildings in a sense more like a kit that you buy and you just kind of put them together much faster, cheaper, direct. Also shipping containers. I think I brought this up in the past. So all these things again we need to be proactive before these applications start coming in the town. In our historic zones residential zone we don't have a minimum size standard. Somebody can say I want to build a 200 sq foot home and live in it like they're trying

to do now. I mean we don't have something like that in ordinance. Another thing is they have issues with is squatters, right? Squatters have a lot of protection by law. So, if we don't have a squatters ordinance we need one. One of the things they mentioned, if the town does not have squatters ordinance, they strongly suggest we adopt one because they're becoming more and more prevalent everywhere,

Nuisance abatement. It was really good. Um Miss Lanna mentioned something that I didn't even think about. It's like we had a real good section of mock trials. They put us in a group and they gave us cases. We worked together and you know the speaker questioned us. So that was pretty cool.

San Bernalillo has a hearing officer now. Something that we talked about in the past, hearing officers are good. I think It brings it down to a municipal level rather than criminal law level, right? It's easier to deal with private property civilly. You know as a civil complaint versus a criminal complaint. That's why a lot of time previous law enforcements, it's harder to charge somebody because you were very focused or making sure that their civil rights were not violated, right? Like due process and illegal search and seizures. So when we bring it down to a civil matter at our level a property becomes much faster compliant.

Commissioner Mulvihill - The one thing that I thought was really interesting was when they talked about variance and hardships. I always consider the hardship to go with the person, but it goes with the land and that the hardship doesn't have anything to do with the family.

8. ADJOURNMENT

NOTICE

If you need any accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us on 524-3262 at least 48 hours prior to the meeting. Posted on 10/17/25 at the following locations: Town Hall - 2231 Avenida de Mesilla; Public Safety Building - 2670 Calle de Parian; Mesilla Community Center - 2251 Calle de Santiago; Lucky's Food Mart - 2290 Avenida de Mesilla; and the U.S. Post Office – 2253 Calle de Parian; Mesilla website <https://www.mesillanm.gov/minutes-agendas/>

E. D. Gallegos
Eric Gallegos – PZHAC Vice-Chairperson

ATTEST:

Gloria Maya
Gloria Maya – Town Clerk/Treasurer

