

MINUTES
Tuesday October 6, 2009
Planning and Zoning Commission Meeting
County Administration Building
1400 Highway 180 East
Silver City, New Mexico

Commissioners Present

Chair David Gershenson
Doug Abbott
Lori Ann Bonomo
Ken Foster
Alice Jones
Teri Matelson
Gillian Sherwood

Commissioners Absent

Staff Present

Alexandra Perrault
Luan Mitchell

The regular meeting of the Planning and Zoning Commission for the Town of Silver City was called to order at 7:15 p.m. by Chair David Gershenson. The Pledge of Allegiance was recited. A roll call of commissioners was taken and a quorum was present.

Approval of Agenda

Commissioner Jones moved to approve the agenda as written. Commissioner Bonomo seconded the motion. All in favor, motion carried.

Approval of Minutes

Commissioner Bonomo moved to approve the Minutes of the August 4, 2009, meeting as written. Commissioner Abbott seconded. All in favor, motion passed.

Old Business

None

New Business

Public Hearings

VA 09-8 – request for a variance to allow a 10-foot setback where a 20-foot street setback is required (Table 151.033(B) of the Land Use Code). The property is located on a tract of land in a Residential A zone, addressed as 1211 W. Market Street, on Lots 12, 14, and 16, Block 25, Section 3 of the Black's Addition. The applicant is Aaron Seavers.

There was no ex parte communication or conflict of interest on the part of any commissioner present. Two people were sworn in for testimony. Alexandra Perrault presented the case explaining that the applicant is asking for a variance to the 20-foot setback requirement so that he may build a porch and a mudroom onto the house that he is renovating for his family to move into. He believes the improvements would add value to his property and to other properties in the neighborhood, perhaps resulting in higher real estate tax revenue for the Town. Town staff

measured to determine that the porch would not encroach into the clear sight triangle. The applicant received two responses to the notifications sent to neighboring property owners, and both were in support of the project. The Community Development Department received one letter in support. Commissioner Jones asked how close the addition to the house would be to the existing wall, which is two feet from the property line. Mr. Seavers said it would be about 10 feet. In response to a question from Commissioner Sherwood, Mr. Seavers answered that the mud room would be about 10 feet by 10 feet. Commissioner Matelson moved to approve the variance. Commissioner Abbott seconded. The motion was passed unanimously.

Reports from Staff

Ms. Perrault reported that she had done some research on LED lighting for street lights. She said the New Mexico Department of Transportation is not allowing them on state highways, and they are not being used in Santa Fe. It was thought we should not pursue them here at this time.

Reports from Commission

Commissioner Jones asked how the commission would conduct voting on the Land Use Code revisions. She recommended voting on sections, rather than the code as a whole. Commissioner Foster asked when the commission would be returning to the subjects that had been put aside for later. Chair Gershenson said he thought there would be one more work session and those subjects would be addressed then. After that, the code revisions would be presented to the public and it was decided to have a special meeting for that, not to include it in a regular monthly meeting. Commissioner Foster commented that he thought the solar rights and mining issues, two that had been postponed, would be very time consuming. Commissioner Jones reminded everyone that they had decided to report to the Town Council that those issues need further study and should not be included in this revision. Ms. Mitchell was asked to prepare an outline of the issues that still need to be addressed.

Community Input

None

Adjournment

Commissioner Abbot moved to adjourn the meeting. Commissioner Foster seconded the motion. All in favor, the meeting adjourned at 7:20 p.m.

David Gershenson
Planning & Zoning Commission Chair

Approved November 3, 2009