

**TRANSCRIPT OF THE  
SANTA FE COUNTY  
SLDC HEARING OFFICER MEETING**

**Santa Fe, New Mexico**

**September 12, 2019**

I. This meeting of the Santa Fe County Sustainable Land Development Code Hearing Officer meeting was called to order by Santa Fe County Hearing Officer Richard Virtue on the above-cited date at approximately 3:05 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

**Staff Present:**

Vicki Lucero, Building & Development Services Manager  
John Lovato, Development Review Specialist  
Jose Larranñaga, Development Review Specialist  
Paul Kavanaugh, Building & Development Services Supervisor  
Cristella Valdez, Assistant County Attorney

**II. Approval of Agenda**

HEARING OFFICER VIRTUE: My name is Richard Virtue. I am the Santa Fe County Sustainable Land Development Code Hearing Officer. We have two items on the agenda this afternoon. Are there any changes to the agenda as published?

VICKI LUCERO (Building & Development Services Manager): Hearing Officer Virtue, there are no changes to the agenda.

HEARING OFFICER VIRTUE: With that, we will turn to the first case, which is Case #19-5140.

**III. Public Hearings**

- A. **CASE # 19-5140 Conditional Use Permit application/ Variance:**  
**Samuel Peters. Samuel Peters, applicant, Catherine Fletcher-Leriche, Agent, request a Conditional Use Permit to allow for an accessory dwelling in accordance with Chapter 9.5.5.1.1 (Accessory Dwelling Units) of the Tesuque Community Overlay District, and a variance of Chapter 10.4.2.2, (Size) to allow an Accessory Dwelling to be greater than 1,400 square feet. The property is within the Residential Fringe Zoning District within the Tesuque Community District Overlay. The property is 6.39 acres and located at 12A and 12B Arroyo Ancho within, Section 25, Township 18 North, Range 9 East, (Commission District 1), SDA-2 [Exhibit A: Photos of House Provided by Applicant]**

HEARING OFFICER VIRTUE: Staff, please proceed with your report.  
JOHN LOVATO (Case Manager): Thank you. On June 7, 2019, the applicant submitted the application for a Conditional Use Permit to allow for a 1,728 square foot accessory dwelling and a variance to allow the accessory dwelling to be greater than 1,400 square feet.

Currently there is an existing 840 square foot accessory dwelling, a 660 square foot accessory structure, carport, a 660 square foot accessory structure, garage), and an existing 2,807 square foot house. The applicant proposes reducing the size of the existing main house from 2,807 square feet to 1,728 square feet and utilizing it as the accessory structure. The applicant is removing two bedrooms, two bathrooms, a laundry room, some closet space, and a portal for a total of 1,079 square feet.

The applicant proposes removing the existing 840 square foot accessory dwelling and removing the 660 square foot garage. The 660 square foot carport will remain, and the applicant proposes a new 4,500 square foot one-story main residence.

On November 15, 2018, the applicant presented the application to the general public, as required by the SLDC, Section 4.4.4, Pre-application Neighborhood Meeting, and submitted material that was presented at the meeting, a sign-up sheet, and a list of individuals and Registered Organizations notified of the meeting.

The Tesuque Valley Community Association expressed appreciation that the owners and architect addressed their concerns for the variance. The members that attended the neighborhood meeting stated that they recalled the way the house was built, which could make it difficult, if not impossible, to scale down the accessory dwelling down to 1,400 square foot limit without extraordinary expense and difficulty.

Furthermore, the Tesuque Valley Community Association does not believe it is appropriate for it to make the decision about whether scaling down to 1,400 square feet is economically or aesthetically feasible. The Tesuque Valley Community Association further stated that they believed the Conditional Use Permit was County staff's decision but also stated for the record that they were not opposed to the variance request.

Review: County Building & Development Services reviewed the application for compliance with the following requirements of the SLDC: A. Chapter 7, Sustainable design standards; B. Conditional Use Permit; and C. Conditional Use Permit review criteria.

The SLDC Section 4.9.6.5, Approval Criteria, establishes the approval criteria for Conditional Use Permits. Staff has determined the applicant's proposal satisfies these criteria as contained in the memo.

And D. Variance. Staff has addressed those criteria as contained in this memo.

Recommendation: Variance Request: The variance request does not meet the requirements. Therefore, staff recommends denial of the variance request as proposed. The applicant has the ability to demolish one of the two living rooms or close one off from the rest of the house and convert it to a storage space that is only accessible from outside. This would bring the area of the accessory dwelling unit down to a maximum of 1,421 sq. ft. which could be considered a minimal easing of the code requirements and can be supported by staff.

Therefore, if the Hearing Officer is to recommend approval of the variance, staff recommends the following condition be imposed:

1. The Applicant shall demolish one of the two living rooms or close one off from the rest of the house and convert it to a storage space that is only accessible from outside. This would bring the area of the accessory dwelling unit down to a maximum of 1,421 square feet.

Conditional Use Permit:

If the Hearing Officer recommends approval of the variance, staff recommends approval of the Conditional Use Permit subject to the following conditions. Hearing Officer Virtue, may I enter those into the record?

HEARING OFFICER VIRTUE: Yes, please.

MR. LOVATO: Thank you.

The conditions are as follows:

1. The Applicant shall demolish one of the two living rooms or close one off from the rest of the house and convert it to a storage space that is only accessible from outside. This would bring the area of the accessory dwelling unit down to a maximum of 1,421 square feet.
2. The Applicant shall meet the requirements of Chapter 7, Sustainable Design Standards of the SLDC.
3. The Applicant shall meet the requirements of Chapter 10.4.2.3 and Chapter 10.4.2.4. of the SLDC.
4. The Applicant must install a meter on the well and submit proof at time of development permit application.
5. The main dwelling and the accessory dwelling shall be restricted to 0.25 acre-feet per year per dwelling.
6. The development must comply with Fire Prevention requirements and conditions

[This Report and the Exhibits listed are hereby submitted as part of the hearing record.]

MR. LOVATO: Staff requests the Hearing Officer memorialize findings of fact and conclusions of law in a written recommendation. The Santa Fe County Planning Commission will be holding a public hearing on this matter on October 17, 2019. Thank you, Hear Officer, and I stand for any questions.

HEARING OFFICER VIRTUE: Thank you very much. I'll defer any questions I might have until after the applicant's and public's presentations. Let's turn to the applicant. Who is going to be presenting the applicant's case today? Please stand and identify yourself for the record.

[Duly sworn, Kate Leriche testified as follows:]

KATE LERICHE: Hello. My name is Kate Leriche. I'm representing Sam Peters. I live at 814 Camino Acoma, Santa Fe. So, first off, I appreciate the time and energy staff has put into this and the whole process – attending the TAC, the community meeting. I thought it was very well organized. In addition, I understand staff's recommendation, but I do want to speak a bit more about our request for a minimal easing of the square footage allowance for an accessory dwelling unit

At the community meeting, the neighborhood meeting, we came with two designs. One was a two-story design for a main house and one was a single-story design for a main house. And it was very interesting. A couple of the neighbors strongly

objected to the two-story design and the owners agreed to go to a one-story design for the proposed main house.

In addition, the owners are agreeing to demolish the existing garage, the existing accessory dwelling unit and the top two-bedroom wing of the existing main house. And what this does is also simplifies the layout on the site and that was also a strong criticism of the TVCA, the Tesuque Valley Community Association. When they visited the site it looks very cluttered because there is a narrow road access, you have the main house, you have a garage and then a carport and then an accessory dwelling unit existing.

So in an effort to simplify the design, now the new garage – we're going to get rid of the old garage and the new garage is attached to the main house. So in essence we're going from four structures on the site down to three. It was a very nice process working with the TVCA. I thought their comments during the meeting were very helpful and I appreciated their letter back to the Director of the Growth Management Department expressing no objections to the square footage limitations. Our team was certainly sympathetic to the intent of the Tesuque Community Plan and overlay. We find it reasonable and within the spirit of the SLDC.

However, with all that said, we still need to request a variance. I'm not sure if this helps us or hurts us but when I read the code as per Chapter 4.9.7.6, Minor Deviations. Upon a finding that the deviation is required, that the result is consistent with the intent of the code and not detrimental to surrounding properties. That would allow for an administrative approval of up to ten percent increase in the square footage. Basically, I'm trying to make our variance for the additional 328 square feet over the maximum allowable look smaller. I don't know if that helps us or hurts us.

The property is – just one clarification. The property has pre-basin water rights, .8 acre-feet is recognized in Aamodt and is more than sufficient to support a main house and an accessory dwelling unit. And again, there is already on the site a main house and an accessory dwelling unit. The property has been in the family since 1968 and that's a clarification from the presentation from TAC. I said it was in the family for generations and that was incorrect.

The present main house is too small and does not accommodate the present size of the Peters-Hurst family. The structure is in need of renovation which the owners will address with the construction of a new house. The proposed location of the new house is ideal, offering better views, easier access, and allows for more comfortable living space for the family. We understand from our meeting with TAC and follow-up meeting with the Fire Department we will be able to meet the Fire Department's requirements for a fire truck turnaround, whole house sprinkler system, and the Knox box at the existing gate.

So in reference to some of the staff's comments, I think at the existing house, the floor plan allows us to remove the late addition two-bedroom wing with their bathrooms. However, there is not a simple way to remove the additional square feet at the living room without significant impact on cost and aesthetics to the existing house. The living room space does not easily allow for partial demolition of the space. This would be an exceptional – that sort of language from you.

I do have some photos also. The living room is in two levels and it's open, so it's two levels that open on to each other, and when you step down to the lower living room it is probably the nicest part of the house with the most character and historic quality that this house maintains. The existing house is quite funky. I do not believe that it would be

easy to do an addition and remodel this existing house to have it accommodate the Peters family. We have an arroyo on one side of the house and we have the driveway on the other, and then another arroyo. So it's very slim where this main house is – where the existing house is.

The other benefit to doing the new main house higher up and converting this to an accessory dwelling unit is we have the arroyos open up as we get towards the top of the property, we have more space. I think that in addition to what we are going to have to do, just to maintain the existing house as an accessory dwelling unit there's been – not this year but last year – a great deal of erosion happening in the arroyos on the property, and the length of the property just goes up and the arroyos have turns in and at those turns they're getting closer to the structures and that all will be addressed. But it just inhibits the expansion of that existing main house. In addition, remodels and additions is a costly way to go in this scenario. A simple remodel and renovation is all we really want to do on this existing structure.

I do have some photos if I can pass them around. I just want to emphasize that that one lower living room area is the prettiest room in the house. It was built by the owner's parents. It has some sentimental value and is basically what you see when you approach the property. It's important to the existing character of the house. I already talked about the site limitations with the arroyo on either side of the existing house.

When the owners turn this existing main house into an accessory dwelling unit their desire is to only have it as a one-bedroom house. There's no desire to have an additional bedroom here. Presently the property caretaker lives on the property in the existing accessory dwelling unit, so he would go into the main house.

That's it. Could I share some photos of the exterior of the house?

HEARING OFFICER VIRTUE: I think it would be helpful if we had the photos. I'd like to get them into the record. Can you provide us originals that we could keep and make part of the official record?

MS. LERICHE: Absolutely. I can either leave this with you or I can sent pdfs.

HEARING OFFICER VIRTUE: Okay. I'm going to have the photos – I have five photos that have been handed to me. I'm going to mark those as Exhibit A and have them entered into the record, and then we'll make additional copies so that other people involved can have copies of them. So thank you very much for that. Are you completed?

MS. LERICHE: Yes, I'm done.

HEARING OFFICER VIRTUE: I had a question or two for you. The staff proposed, in connection with the variance, which they're recommending denial of, they did recommend a condition that would make the variance acceptable and that was to either demolish one of the living rooms, which you testified would be expensive, or to convert one of them to storage. Would the storage option be acceptable to you?

MS. LERICHE: I think if you look at the last page in those photos you'll see that one room that would be, I believe, is what staff is considering removing. It has a very prominent fireplace feature, a very prominent radiused window. It is important from the exterior. It is important from the interior. It's an important space. I can't see turning it into a storage. It's basically the front of the house.

HEARING OFFICER VIRTUE: Okay. When you say it would be expensive to demolish one of the rooms, could you give me an indication of the order of magnitude of the expense would be to do that?

MS. LERICHE: Expense to demolish the lower living room area? It's 18 x 18 square feet, times maybe \$100 per square foot, taking into account having to repair the stucco, get in new windows. There's a big change in grade there so some site work would have to be done as well. Does that make sense?

HEARING OFFICER VIRTUE: Okay. So I can get an idea of what we're talking about in terms of order of magnitude here. I don't have any more questions for you as the applicant's representative. Is there anyone else present who would like to speak in favor of the application? Seeing no one, is there anyone who wants to speak in opposition to the application?

JANE LIPPMAN: I just have a question.

HEARING OFFICER VIRTUE: Okay, I'm seeing two people raise their hands. We'll proceed with whatever they have. Would you identify yourself and be sworn in?

[Duly sworn, Jane Lippman testified as follows:]

MS. LIPPMAN: I'm Jane Lippman. I just have a question about water. It's going to be a 4,500 square foot house and I'm wondering if they've asked for extra water and if it would impact – I don't know if I'm on the same aquifer but I'd imagine I am and I just want to know that my well isn't going to dry up.

HEARING OFFICER VIRTUE: Okay. Thank you. I'd ask the applicant's representative to address that.

MS. LERICHE: So there is not going to be any change in water use. Presently, the Peters family comes and uses this house for vacations and they have their caretaker who lives on the property. The Peters family comes in the summer. They come in winter months. They do not see a change in water use on the property.

MS. LIPPMAN: Is there going to be a family of four instead of one sister coming or something like that. I'm in favor of this. I'm not being an adversary. I just want to know that my well is not going to dry up. And of course we don't know what's going to happen in terms of water in the county in general.

MS. LERICHE: Water is a legitimate concern in our entire community, but they do have over six acres and they do have a legitimate claim for main house and accessory dwelling unit for water use.

HEARING OFFICER VIRTUE: Okay. I'm going to ask the staff if they have any comment.

MS. LUCERO: Hearing Officer Virtue, I just wanted to bring to the attention of everyone that one of the conditions that staff is recommending of the Conditional Use Permit does limit the water use on this property, so it will restrict the use to .25 acre-feet per year per dwelling unit, which is the standard water restriction of the County code.

MS. LIPPMAN: Thank you.

HEARING OFFICER VIRTUE: Thank you. I saw one other hand being raised.

[Duly sworn, Cecilia Dunne testified as follows:]

CECILIA DUNNE: My name is Cecilia Dunne. I own the property adjacent to the property. Shall I speak?

HEARING OFFICER VIRTUE: Please.

MS. DUNNE: I own a property directly adjacent to the project and I've gone over the plans quite seriously, and I think they address almost every issue that could be brought up. They've obtained enough water, etc. And it's a nice family and I'd be very happy to have them permanent with a big permanent house there. It doesn't impact my property a bit. It probably enhances it. So that's all I have to say, that I'm in favor of it.

HEARING OFFICER VIRTUE: Okay. Thank you very much. Do we have anyone else present that wants to speak to this case, either for or against or just make a comment? Seeing none I'm going to declare the testimony phase of this hearing closed, unless the staff has any further comments they want to make.

MS. LUCERO: Hearing Officer Virtue, I just wanted to clarify, when you asked the applicant about demolishing or closing off one of the living rooms from the rest of the house, she talked about the inability of one of the living rooms but staff was giving the option to close off one or the other, since there's two. So I don't know if she addressed both or just the one living room.

HEARING OFFICER VIRTUE: Okay. I was aware that staff is recommending that either one could be demolished and you addressed the one. Do you want to address demolition of the other living room?

MS. LERICHE: So the other living room, the higher living room is part of the original house. The lower living room was added in 1968, so just in terms of how this house was built, it's going to be easier to take away the later addition than part of the original structure.

HEARING OFFICER VIRTUE: I think I understood that from the materials you submitted. I guess the question is conversion of either one of the living rooms was an option that the staff offered as an acceptable condition and you addressed the one living room. You didn't think it was appropriate, as I understood it, to be a storage room. I think the question is what about the other one?

MS. LERICHE: Well, in the layout of the house you have the entry portal and entry. The entry opens up to the bedroom, the kitchen and the living room. So it would be bedroom, kitchen and storage, and then access to the living room would be through the kitchen – entry, kitchen, dining, living room. It would make for an awkward sequence of spaces in the house. It also has very thick, 18 inch adobe walls. Just from an architect's perspective, it has exposed beams. It really has the general feel of the original house.

HEARING OFFICER VIRTUE: Okay. Thank you for that. Anything further?

MS. LERICHE: It's just that's a hard thing to consider. It has two windows into it. It looks like – it's 15 feet by about 20 feet. I think it would make the house very awkward.

HEARING OFFICER VIRTUE: Okay. Thank you very much. Any other testimony that anyone would like to give at this point? Seeing none, I'm going to declare the evidentiary part of this case closed. I will make a recommended decision in writing within 15 working days of today. Thank you all very much for coming.

III. B. **Case #18-5191 Village at Galisteo Basin Preserve (aka "Trenza") Conceptual Plan.** Commonweal Conservancy, Applicant, Ted Harrison, Agent, request approval for an amendment of a Conceptual Plan to reduce the development under the previously approved Conceptual Plan for the Village at Galisteo Basin Preserve/Trenza Planned Development District (275 residential units, 71,000 square feet of commercial, educational and civic land uses on 2,044 acres). The request limits future uses on 22 acres to two single-family dwellings, open space recreation, amphitheater, and cemetery. Development rights will be transferred from the remaining 2,022 acres which will be utilized for agricultural, open space, recreational, and memorial landscape. The site is located south of Eldorado, west of US 285, south of the railroad tracks, within T15N, R9E, Section 25,36,35,34, T15N, R10E, Section 30 &31, T14N, R9E, Section 1,12,13, T14N, R10E, Section 5,6,7,18, SDA-2 (Commission District 5)  
[Exhibit 1: Neighborhood Meeting Summary and Sign-in Sheet; Exhibit 2: David Cartwright, letter of support, dated 9/9/19; Exhibit 3: Dianna Suslo, email, dated 9/12/19]

HEARING OFFICER VIRTUE: I've been informed that there is a member of the public who would like to participate by conference call in this hearing. Can we get that set up at this point?

MS. LUCERO: Hearing Officer Virtue, if we can take just a brief recess so that our IT can get able to patch her in.

HEARING OFFICER VIRTUE: Okay, we'll recess for a few minutes, hopefully no more than five minutes to get the conference call set up.

[The hearing recessed from 3:35 to 3:50.]

HEARING OFFICER VIRTUE: This is Richard Virtue, the Hearing Officer. I just want to confirm that you're on the phone and you can hear me.

DIANNA SUSLO: I can.

HEARING OFFICER VIRTUE: Okay. Thank you very much. We're going to proceed then with the hearing on this matter. I'd like to note for the record before we receive the staff report that I got an email from Mr. Larrañaga yesterday afternoon transmitting some minutes of the neighborhood meeting together with a list of property owners and list of attendees. I would propose to enter that into the record as Exhibit 1 if there's no objection. Is there any objection to admitting those documents into the record? Okay. Thank you.

I'd also like to note that from the information that was sent to me I could not confirm when and how the notice of that neighborhood meeting was given. Can you, Mr. Larrañaga for the record, state how the notice was given?

MR. LARRAÑAGA: Yes, Hearing Officer Virtue. The notice was sent out at the same time – in the same envelope, I should say, as the notice for this hearing, and the applicant notice for this hearing, for the Planning Commission in October and the Board of County Commissioners in November. So since the neighborhood hearing had to

take place prior to this hearing, the applicant put the notice for the hearings and the notice for the neighborhood hearing in the same envelope sent out to that list of individuals that you have there.

HEARING OFFICER VIRTUE: Okay. Was the notice of the neighborhood hearing sent out 15 days before the neighborhood meeting was held?

MR. LARRAÑAGA: That's correct. Yes.

HEARING OFFICER VIRTUE: It was. Can we have return receipts from the property owners indicating they received the notice?

MR. LARRAÑAGA: The mailings are just first class mail. So there's no return receipts. It's not certified mail; it's just first class mail. So there's no return receipts on first class mail.

HEARING OFFICER VIRTUE: But you did mail it first class mail.

MR. LARRAÑAGA: The applicant mailed it –

HEARING OFFICER VIRTUE: The applicant did? Okay. Can you provide for the record, after the hearing, some kind of confirmation from the applicant that the notices were in fact mailed?

MR. LARRAÑAGA: The applicant did not take a photo of all the letters that went out. He provided a list of the individuals that the letters went out to and then the sign-in sheet for the neighborhood meeting and what was discussed. So not having to be certified there's really no way of tracking if those went out other than the applicant testifying that he did send them out first class mail.

HEARING OFFICER VIRTUE: What I'm trying to get confirmation of is the notices were mailed to each of the surrounding property owners within 15 days of the date of the neighborhood meeting. And so maybe I should have the applicant's representative address that at this point to confirm that that was in fact done and confirm that you'll submit a written statement to that effect within, say, three days after the hearing closes. Can you just get up and say that for the record please? We might as well swear him in. He's the applicant's representative.

[Duly sworn, Ted Harrison testified as follows:]

TED HARRISON: Ted Harrison. Hearing Officer Virtue, I took great pains to get the notices out and as Jose described, in a single envelope with all the materials, including the neighborhood meeting notice 15 days in advance of the neighborhood meeting which occurred on Tuesday night this week.

HEARING OFFICER VIRTUE: Okay. Thank you. I just had no – there's no indication of that in the record and I usually get that prior to the hearing. I didn't get it this time. I just want to make sure we've got the record clear on that, so I would ask you to submit a written statement to that effect for the record within three days of today.

MR. HARRISON: Sure. I'll be happy to.

HEARING OFFICER VIRTUE: Okay. Thank you. Okay, let's proceed with the staff report.

MR. LARRAÑAGA: Hearing Officer, on June 12, 2007, the Village at Galisteo Basin Preserve Master Plan was approved by the Board of County Commissioners for a mixed-use development consisting of 965 residential units and 150,000 square feet of commercial, educational and civic land uses within 10,316 acres. On November 10, 2015, the BCC approved an amendment to the Master Plan to reduce

the density to allow 275 residential units and 71,000 square feet of commercial, educational and civic land uses within 2,044 acres.

On January 16, 2016, with the implementation of the Sustainable Land Development Code, the 2,044-acre planning envelope associated with the approved master plan was designated as a Planned Development District. On March 12, 2019, the BCC approved a Conceptual Plan to add communication towers as an allowed use within the PD-2 development.

The applicant is requesting approval for an amendment of a conceptual plan to reduce the development under the previously approved conceptual plan for the Village at Galisteo Basin Preserve/Trenza Planned Development District. The request limits future uses on Lot 8 and 9 to two single-family dwellings, open space, recreation, amphitheater, and cemetery. Development rights will be transferred from the remaining 2,022 acres which will be utilized for agricultural, open space, recreational, memorial landscape, and on areas A through D limited utility related and recreational related uses.

The applicant has addressed the criteria for approval of a conceptual plan and staff has responded to the applicant's statements.

Building and Development Services staff has reviewed this project for compliance with pertinent SLDC requirements and has found that the facts presented support the request for a conceptual plan amendment to reduce the development under the previously approved conceptual plan: the proposed conceptual plan reduces the development substantially, therefore studies, reports and assessments were not required. As each use is developed, the applicant shall submit a development permit with a site development plan, meeting the code requirements, to be reviewed and approved administratively. The application satisfies the submittal requirements set forth in the SLDC inclusive of criteria set forth in Section 4.9.9.

Staff has established findings to allow a conceptual plan amendment to reduce the development allowed under the previously approved conceptual plan within the Galisteo Basin Preserve/Trenza Planned Development District. The proposal is in compliance with criteria set forth in the SLDC.

Staff recommends approval of the request to amend the conceptual plan for the Village at Galisteo Basin Preserve/Trenza Planned Development District to reduce the development on 2,022 acres and to limit the uses on Lot 8 and 9, subject to the following conditions:

1. The Conceptual Plan showing the site layout and conditions of approval shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.9.9.
2. A Development Permit/Site Development Plan shall be submitted to Building and Development Services prior to any development of the uses outlined in the Amended Conceptual Plan in accordance with Section 4.8.2. to be reviewed and approved administratively.
3. The TDR Agreement shall be referenced on the TDR Plat and on the Conceptual Plan.

This Report and the Exhibits to the report are hereby submitted as part of the hearing record.

Staff requests the Hearing Officer memorialize findings of fact and conclusions of law in a written order. The Santa Fe County Planning Commission will be holding a public hearing on this matter on October 17, 2019.

And I stand for any questions.

HEARING OFFICER VIRTUE: I'll reserve questions for staff for later if I have any.

MR. LARRAÑAGA: Hearing Officer Virtue, another handout that was handed to you and to the recorder was a letter of support and a letter of concern.

HEARING OFFICER VIRTUE: Yes, I did receive those. I have marked an email from David Cartwright dated September 9<sup>th</sup> to you as Exhibit 2, and I've marked an email from Dianna Suslo to you dated September 12<sup>th</sup> as Exhibit 3. And if anybody has an objection to these they may make them at this time. Seeing none, I will admit those exhibits to the record.

The applicant may proceed at this time. I believe the representative has already been sworn, so identify yourself and proceed.

MR. HARRISON: Thank you. Hearing Officer Virtue, my name is Ted Harrison. I'm the president of Commonweal Conservancy which is the owner and developer of the Galisteo Basin Preserve. I will be brief in my comments this evening. I just want to thank the staff for their support over the course of the past two months as we put our application together. Admittedly, this was a quickly assembled application because our initial focus was putting together a transfer of development rights agreement which I was in the process of doing with members of the long-range planning staff as well as with the development review staff. In the course of developing our transfer of development rights application the Land Use Administrator, Penny Ellis-Green recommended that to give congruence to the TDR plan that was coming forward or TDR agreement, and our existing master plan that it would be helpful for future regulating entities or staff to have, as part of the record, a plat that showed how this property was finally proposed to be developed and to be in conformance with the restrictions that were proposed to be included in the TDR agreement that was also in draft form.

As you know, this is a project that has run the course of nearly 15 years of planning. I think this is our sixth version of a conceptual plan or master plan amendment. I hope it's our last. Obviously, the plan is a much simplified vision for this property. Rather than 275 homes and 71,000 square feet of public use, commercial, civic sorts of development we're proposing to limit the development very significantly to five zones that are labeled A through E, and those are primarily devoted to water infrastructure, communications infrastructure, or for parking and trailhead access, to the 28 miles of trails that are already developed within the preserve that we make available for public use. We are proposing that an additional 22 miles of trails will be built over the course of the next three to five years.

So there are provisions in the A through E zones of this new conceptual plan that provide for things as focused as picnic tables and shade structures and signage that advance that outdoor recreation purpose. There are more specific allowances for a stealth communications tower that would be located in Zone A and then also water infrastructure which is already in place that serves one of our neighborhoods known as the Southern Crescent in Zone A. Zone B is one that includes primarily the trail and outdoor recreation use but it also includes an allowance for development of a memorial landscape, a green

cemetery, which has been part of our earlier conceptual plan approvals, but having an 11-acre burial site in the Zone B is a new request, different from what we'd had in our previous conceptual plan. It is an area that had been previously proposed for development for I believe about 60 homes. So instead of 60 homes it will now be trail use and the green cemetery use.

In other sections of the conceptual plan, such as Area C, that is an area where we have existing wells. There are solar wells that bring water to the tanks that are located in Zone A. Those are serving the neighborhood of Southern Crescent. In Area D, that is just a trailhead and area we may have portapotties. Right now it's just a parking area with signage. It may be developed to be a little more properly serving for the public, but it's all for outdoor recreation use. Area E is also where we have a deep well that was developed to prove up water as we were going through our larger hydrological assessment with the County back in 2007, so we want to just create the opportunity to utilize the water that's associated with that municipal grade well and perhaps develop an easement and water infrastructure that would then be connected to the New Moon Overlook water infrastructure. The New Moon Overlook is a neighborhood that sits in this area just north of the proposed village site, the previously proposed village site, so that neighborhood may be benefited by having access to the existing well that is just capped right now. It has not been connected to the neighborhood.

The most complex parts of our plan involve the Lot 8 and Lot 9/23B geography. These are two lots and then some additional acreage that adjoins a neighborhood that we created back in 2007 known as the Southern Crescent. Lots 8 and 9 are existing lots associated with that neighborhood, and then there's a residual area from 23B that would be part of this development plan. The land uses that were described in our original conceptual plan application intended again to support recreation/trailhead sorts of activities including an improvement from our portapotty that's out there on Lot 8 currently to be upgraded to a fully serviced restroom facility/wash station.

There's also a proposed amphitheater which is actually part of our existing conceptual plan approval that's located on Lot 8. On Lot 9, that is an area that is proposed for use as is Lot 8 for additional green cemetery uses. We're still leaning into the opportunity of a green cemetery. There's also a retained right relative to the 275 homes that are a part of our existing master plan or conceptual plan approval. The development of two homes would still be allowed on Lot 8 and Lot 9.

Another use that has been proposed for Lot 8 and 9 was for the development or creation of a 12-tent glamping facility. In total then 24 tents were requested to be allowed for development. After meeting with the neighborhood on Tuesday evening – we had a meeting that as you know, extended about an hour and 45 minutes, a number of residents, both from the New Moon Overlook and the Southern Crescent expressed concern that the glamping use would create risks of nighttime activity in the neighborhood area that might be disruptive to their experience living out in otherwise a very dark and quiet part of the county. And there was concern of fire risk, if there was any kind of campfire use as part of the glamping operation. So a little bit of traffic, potential noise, and just a general concern that having a flow of people who were really not committed as long-term residents or members of the community might change the character of the neighborhoods.

So after some discussion, both at the meeting and then following our neighborhood meeting on Tuesday night I agreed to withdraw that land use as one of the

requested aspects of our conceptual plan amendment here. There are members of the neighborhood who are in the audience with me this afternoon that can also speak to the history of our conversations with the neighborhood but the proposal now is one that would allow for those recreation uses, allow for the cemetery uses, allow for the amphitheater development but not allow for any use of a glamping/camping facility on the property.

So with that, I believe we've covered the sort of status and current requests. Just separately, on Monday night I did meet with the 285 ALL group which represents neighborhoods which includes representatives from around Eldorado area. Roger Taylor is I think the chairperson of the 285 ALL Committee and I made a presentation there to give them an understanding of what was proposed here in the conceptual plan. They haven't provided any written comment, I understand, to the County, but the meeting was quite amicable and they're not people who live immediately in the neighborhood or in the project and in the general concept where the development was being largely stripped away and all of the issues of water use were being largely resolved by the reduced density. Roger Taylor and the other members of the 285 Corridor seemed to be quite pleased with how the trajectory of the project was going.

So with that, I will stand for questions.

HEARING OFFICER VIRTUE: Okay, I have one question for you. The minutes of the neighborhood meeting reflect discussion of a 20-horse stable and they reflect that you agreed to forego that also. Is that correct?

MR. HARRISON: That is correct. Yes. There is an existing corral, steel pipe kind of containment for horses and we do get equestrian use on the property so the neighborhood representatives felt comfortable that we would continue to have that intact and be able to maintain it if that was of value to the equestrians. But a barn structure, any kind of horse operation would be eliminated as well from the amendment.

HEARING OFFICER VIRTUE: Okay. Thank you. I have no further questions of you at this point. Are there any people present who would like to testify in favor of the application? Please come forward and identify yourselves and be sworn in.

[Duly sworn, Amy Regalado testified as follows:]

AMY REGALADO: Good afternoon, Hearing Officer. My name is Amy Regalado and I'm a resident of the Southern Crescent neighborhood. My husband, Michael Regalado is also here in the audience. And we would just like to say that we had a very positive experience with the neighborhood meeting. We appreciate Mr. Harrison being open to our concerns and we appreciate the fact that he's withdrawn the proposal including the glamping aspect of it and with that done we fully support the amendments.

HEARING OFFICER VIRTUE: Okay. Thank you very much.

[Duly sworn, Ken Bunkowski testified as follows:]

KEN BUNKOWSKI: My name is Ken Bunkowski. Thank you, Hearing Officer for giving me the chance to speak. My wife Karen and I have lived for about five years at the Galisteo Preserve. Great experience for us since it's a special place. It's the type of place that ought to be expanded, not only in the Santa Fe area but in New Mexico as a whole and for that matter across all of the United States. Areas such as this that sets aside land and protects wildlife for current and future generations is what we need and to do that really takes special people. I think it takes individuals that are committed,

dedicated and have a vision for the future, and I think we're very lucky to have individuals such as that, Ted Harrison.

So aside from that I'm definitely voicing my support for the amendments to the conceptual plan for the Trenza Village.

HEARING OFFICER VIRTUE: Okay. Thank you very much. Are there others who wish to speak in favor?

[Duly sworn, Patricia Kelly testified as follows:]

PATRICIA KELLY: Patricia Kelly. I represent myself and my husband, Joshua Freeman. We own a lot in New Moon Overlook and we are completely in support of this plan and are especially appreciative of the process, which has brought it about. Thank you.

HEARING OFFICER VIRTUE: Okay. Thank you. Anyone else who would like to testify in favor of the application? Seeing no one, is there anyone who wishes to testify in opposition to the application? Seeing none, I am going to declare the public testimony portion of this hearing over and I will conclude the hearing at this point unless the staff has something they would like to add.

MS. LUCERO: Hearing Officer Virtue, I just wanted to see if Ms. Suslo was still on the line, if she had any comments.

HEARING OFFICER VIRTUE: Ms. Suslo, are you still on the line?

MS. SUSLO: I am.

HEARING OFFICER VIRTUE: Do you have any comments you'd like to make at this time?

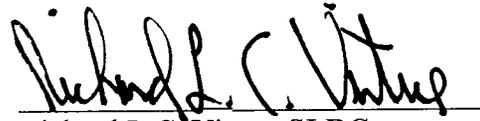
MS. SUSLO: I don't have anything at this moment other than what I wrote in my letter.

HEARING OFFICER VIRTUE: Okay. Thank you very much. So I will conclude the testimony portion of the hearing and I will make a written recommendation within 15 working days of today. Thank you very much for attending.

**IV. Adjournment**

Hearing Officer Virtue adjourned the hearing at 4:15 p.m.

Approved by:



Richard L.C. Virtue, SLDC  
Hearing Officer Santa Fe County

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

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Geraldine Salazar



Santa Fe County  
Hearing Officer: September 12, 2019

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

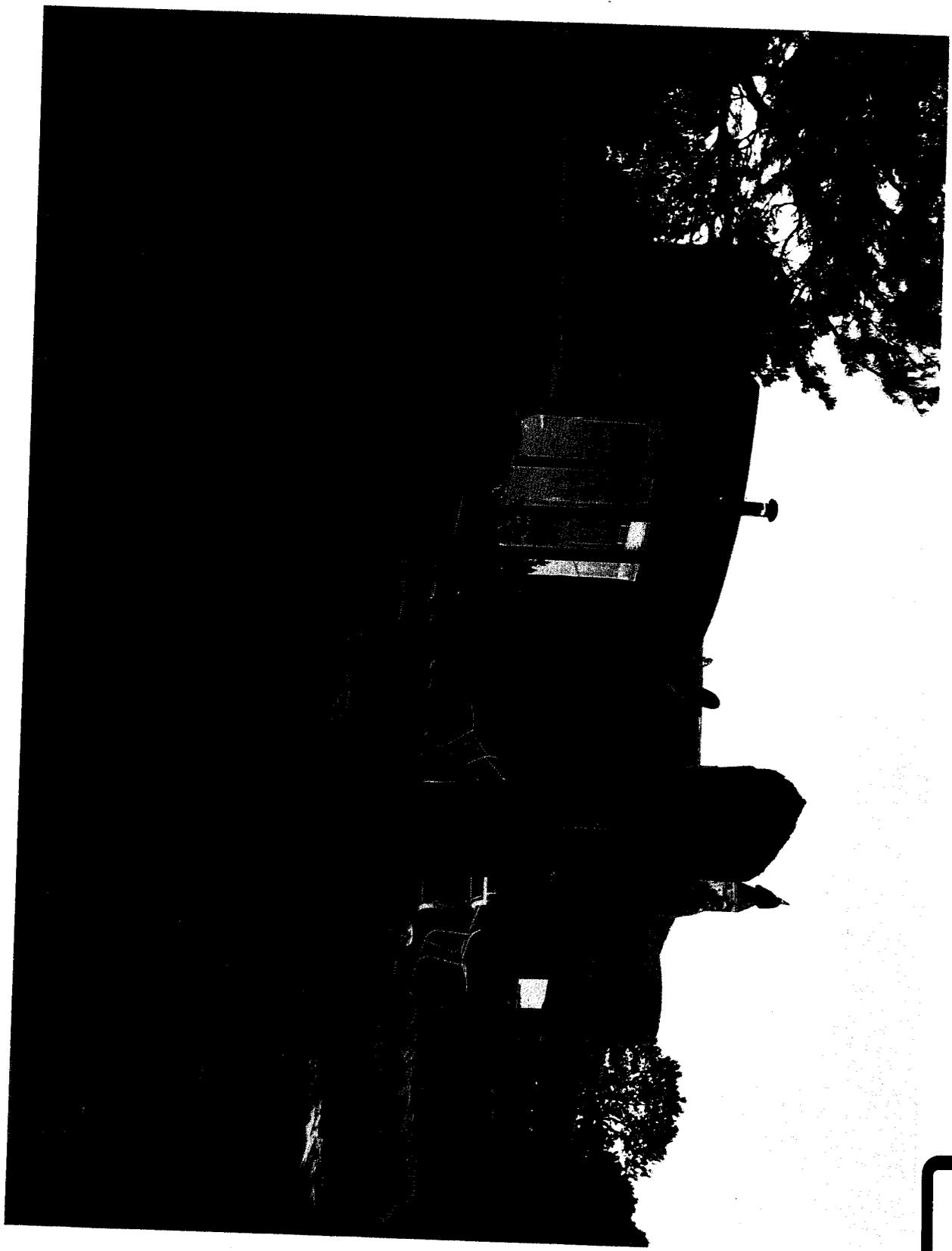
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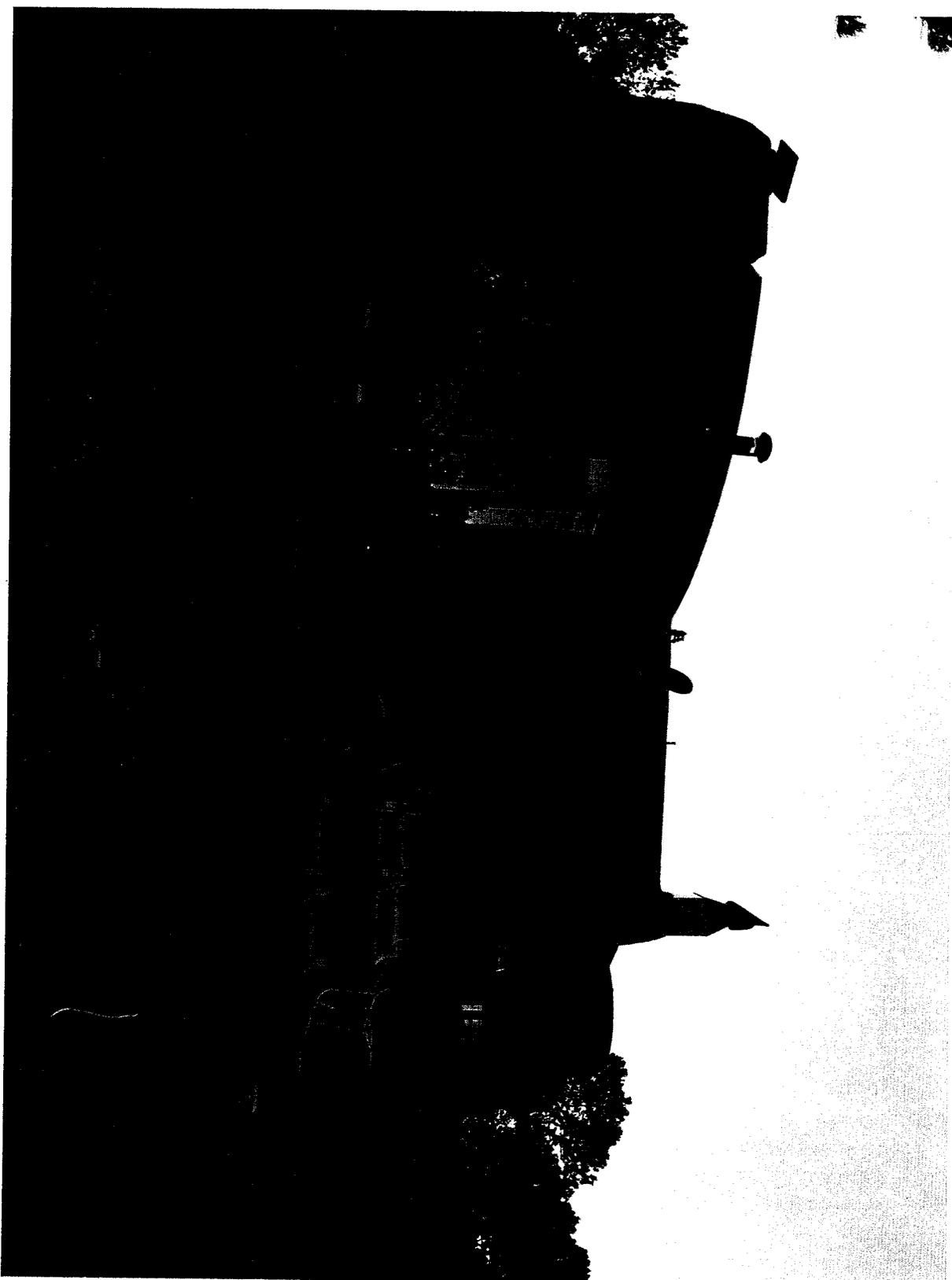
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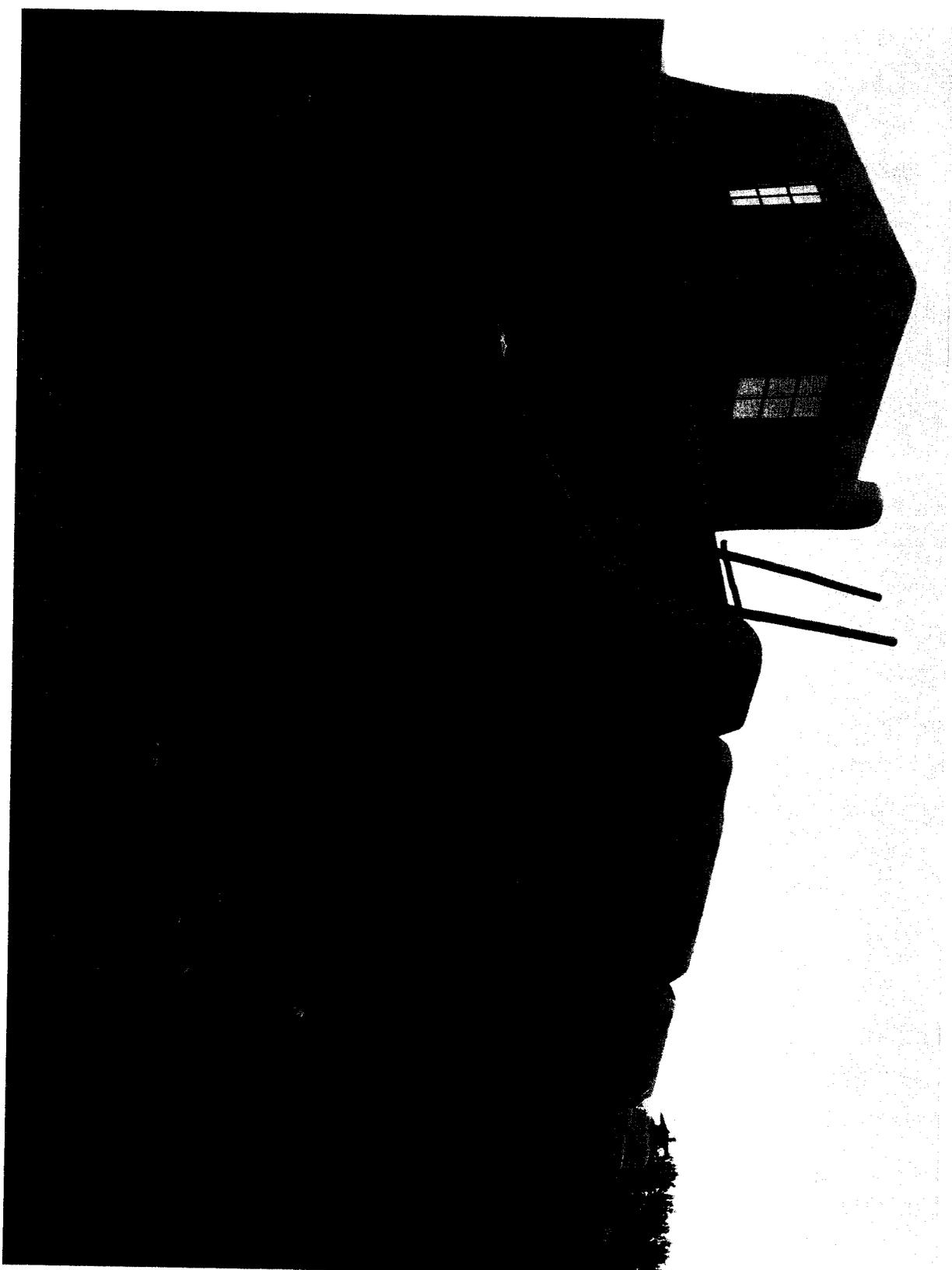


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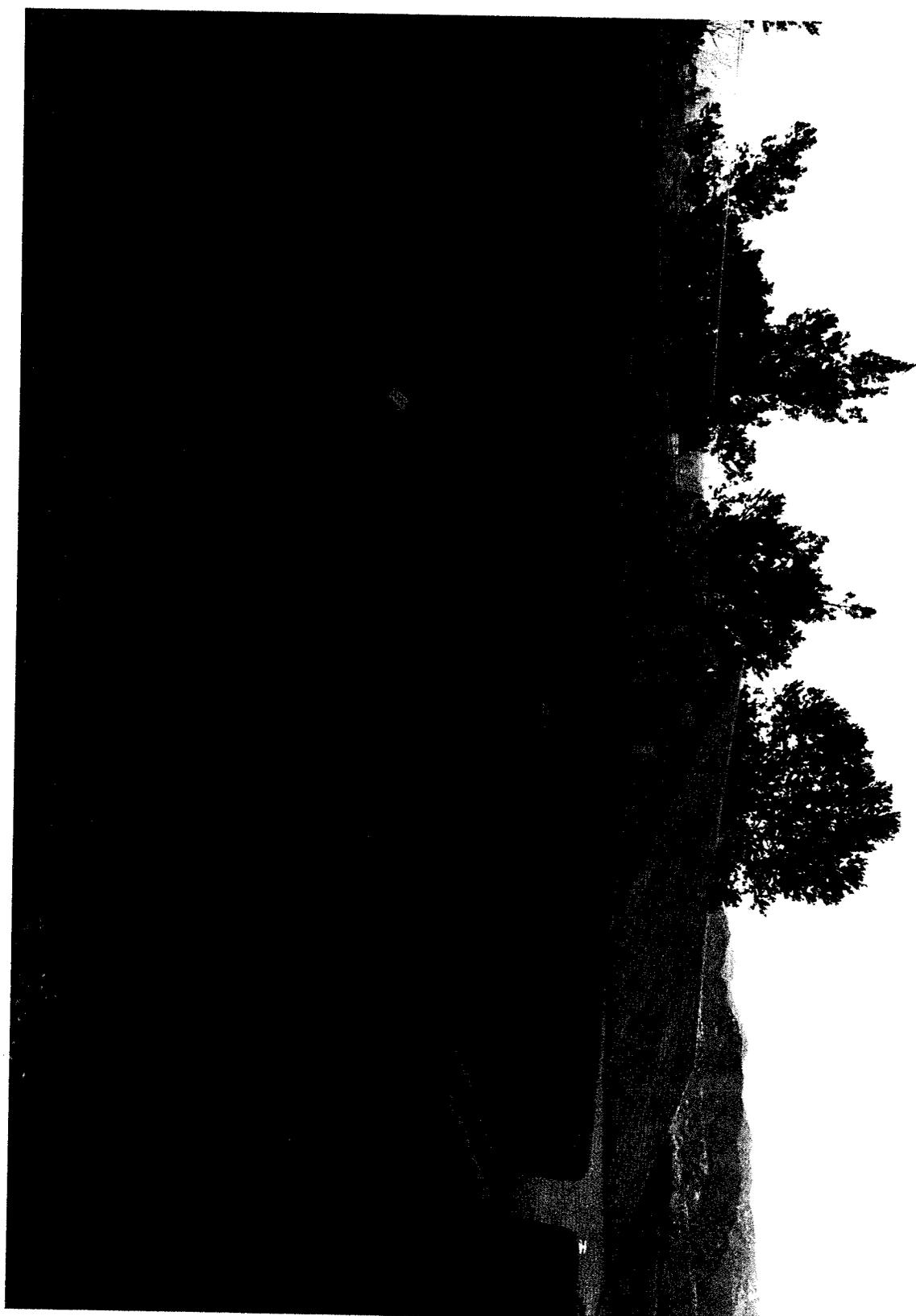
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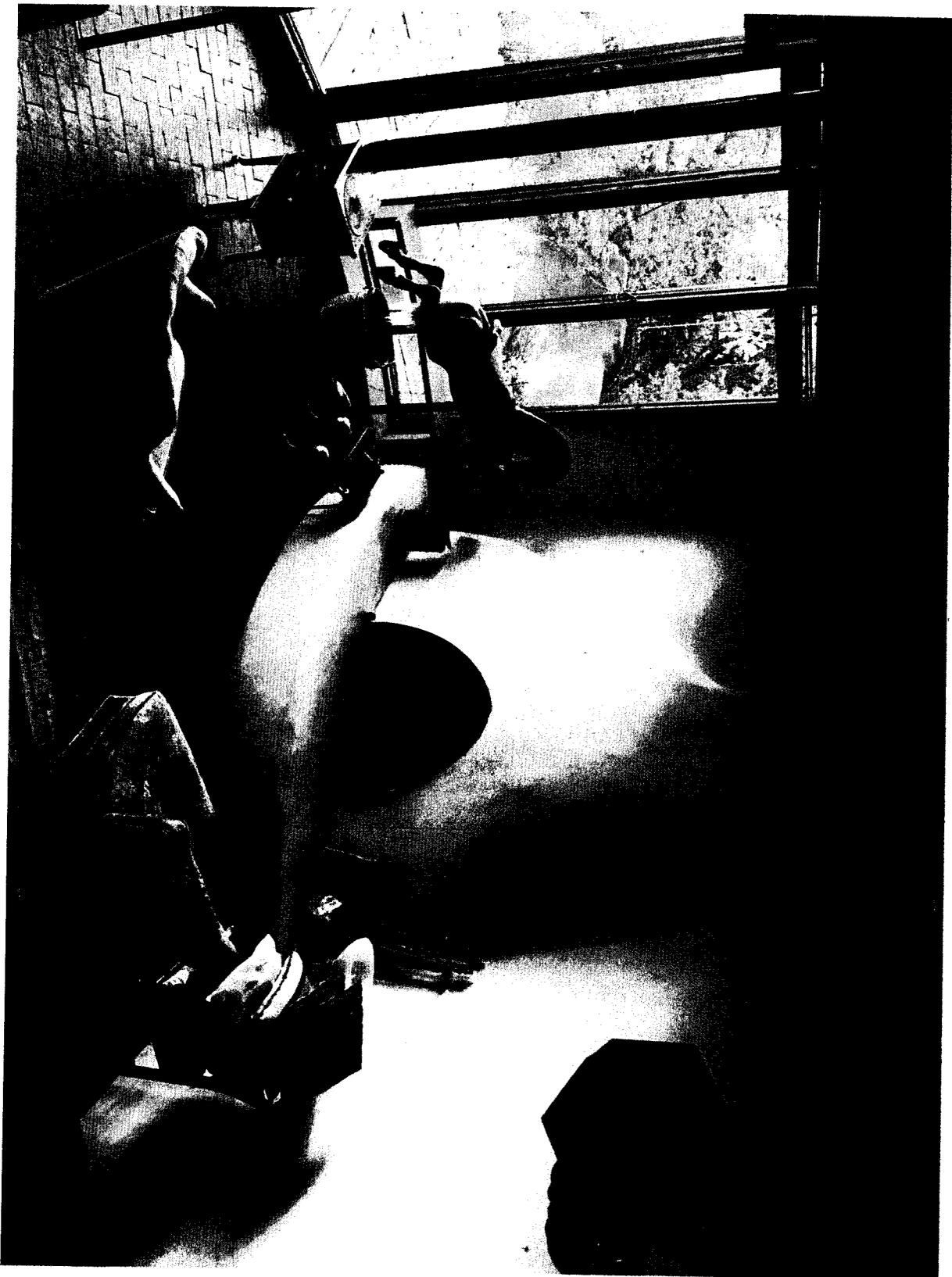


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GALISTEO BASIN PRESERVE (TRENZA) – CONCEPTIONAL PLAN/ZONING  
AMENDMENT NEIGHBORHOOD MEETING

Tuesday, September 10, 2019 5:15 pm-7:30 pm

314 S. Guadalupe Street, Board Room

*Meeting Notes*

These notes recount a presentation and discussion at a recent neighborhood meeting to consider a an Amendment to the Village at the Galisteo Basin Preserve Conceptual Plan. These notes are not intended to be definitive or inclusive of every comment, concern or request that may have been offered by the presenter or the participants. Instead, this report constitutes as a good faith summary of the discussion – highlighting points of agreement, concern and needs for future dialogue.

I. Introduction

Ted Harrison, president of Commonweal Conservancy, welcomed eleven (11) participants to the neighborhood meeting. With a Powerpoint presentation as reference, Mr. Harrison offered an overview of Commonweal Conservancy's planning and development history at the Galisteo Basin Preserve (hereafter "preserve") and the proposed land uses that would be associated with an Amendment to the existing Conceptual Plan.

A) Conceptual Plan Purpose and Context

Ted began by acknowledging the unique opportunity that had been presented to Commonweal by the Thaw Charitable Trust's purchase of Commonweal's land debt in July 2018. Ted explained that prior to the Trust's intervention, the preserve was in the throes of foreclosure proceedings and headed toward bankruptcy.

As context for the current Conceptual Plan Amendment (hereafter "Amendment"), Ted explained that the County required that an Amendment be prepared and approved contemporaneously with the preparation of a Transfer of Development Rights (TDR) plat. Separate from the County's plat and TDR agreement processes, Ted further advised that Commonweal was in the process of overlaying the preserve with conservation easements -- eventually encompassing the 2,044-acre planning area associated with the Trenza PDD, along with 3,500 acres of adjoining open space.

Ted recounted the layered nature of the Amendment, TDR plat and conservation easement plan for the preserve. This required some explanation as a number of participants were unfamiliar with transferable development rights and/or conservation easements. To guide their understanding, Ted spent time describing the purpose and legal construction of conservation easements, as well as a summary of the County's TDR program. Ted further explained that the funding relationship with Thaw was such that, upon overlaying the property with a TDR plat and conservation easements, the Trust was prepared to forgive its credit claims and effect a grant to Commonweal equal to the value of their investment (i.e., \$5.0M)

Next, Ted oriented the participants to the geography of the larger Galisteo Basin Preserve and the location of the various conservation neighborhoods within the preserve (i.e., New Moon Overlook, Southern Crescent, East Preserve and West Basin).

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Next, Ted described Commonweal's historical conservation easement accomplishments which have permanently protected approximately 6,500 acres of wildlife habitat, cultural resources and scenic vistas, and established a 28-mile, publicly-accessible trail network for hiking, biking and horse-back riding.

#### B) History + Development Program for Trenza

Ted then outlined the history and development program for Trenza, formerly known as the Village at Galisteo Basin Preserve. He explained that Commonweal had received approval for a master plan amendment for Trenza from the Santa Fe Board of County Commissioners (BCC) in 2007, 2012 and November 2015. The more recent plan amendment had reduced the community's residential development allowance from 965 to 275 units, and scaled back the proposed commercial and civic uses from 150,000 square feet to 71,000 square feet.

Meeting participants asked a number of questions regarding the preserve's development history - seeking to better understand the project's current planning status and development approvals. After describing Trenza's existing zoning allowances, Ted presented the group with an summary of proposed changes and additions to the 2015/2018 Conceptual Plan.

### II. 2019 Conceptual Plan/Zoning Amendment

#### A) Overview

With his Powerpoint presentation as a guide, Ted reviewed key elements and objectives of Commonweal's 2019 Conceptual Plan Amendment. Ted explained that the Amendment was designed to constrain Trenza's long-anticipated development uses to a small subset of its previously approved development allowances.

By amending Trenza's current Conceptual Plan, the development provisions associated with the Amendment would better reflect the land uses proposed for inclusion in its forthcoming TDR Agreement and Plat.

#### B) Amendment Elements

After establishing the larger context of the project's development history, current allowed uses, and planned conservation purposes, Ted presented the participants with a zone-by-zone description of .

Following from the Letter of Intent that accompanied Commonweal's Amendment application, Ted described the land uses that were proposed for each of six geographic areas of the Trenza PDD/Planning Envelope.

Instead of a tightly configured eco-village surrounded by thousands of acres of open space, Ted explained that the land uses associated with the 2,044-acre planning envelope are proposed to include the following:

- i) In Area A as noted on the Conceptual Plan Amendment Plat:
  - a. The right to develop a stealth communications tower and its associated equipment and storage facilities, as well as other infrastructure, access roads and utility easements to service the tower; and
  - b. The right to develop and maintain water wells, water storage tanks, water lines, along with associated roads and other infrastructure to serve the project's water system.
- ii) In Area B as noted on the Conceptual Plan Amendment Plat:
  - a. The right to develop up to 10 acres for the purpose of a green cemetery/conservation burial facility along with access roads, parking areas and trails in service to this use; and

- b. The right to develop shade structures, seating, trails, signage associated with outdoor recreational uses:
- iii) In Area C as noted on the Conceptual Plan Amendment Plat:
  - a. The right to develop and maintain water wells, water storage tanks, water lines, along with associated roads and infrastructure to serve the project's water system.
- iv) In Area D as noted on the Conceptual Plan Amendment Plat:
  - a. The right to develop a trailhead, parking areas, signage, a toilet/ washroom facility, trails, and seating areas associated with the outdoor recreation use of the adjoining Galisteo Basin Preserve open space.
- v) In Area E as noted on the Conceptual Plan Amendment Plat:
  - a. The right to develop and maintain water wells, water storage tanks, water lines, along with associated roads and infrastructure to serve the project's water system.

Next Ted described the proposed land uses that would be associated with Lot 8 and Lot 9 and a portion of Lot 23B of the Southern Crescent:

- 1) On each parcel, there would be a right to develop one single family residence, not to exceed 3,500 sf of heated area construction;
- 2) On each parcel, the right to develop up to 8 acres for the purpose of a green cemetery/conservation burial facility along with access roads, parking areas and trails in service to this use;
- 3) On each parcel, the right to develop trails, along with a camping/glamping facility capable of supporting up to twelve (12) tents/yurt structures and their associated cooking, food and drink service, gathering and washroom facilities; and
- 4) On Lot 8 exclusively, the right to construct an 80-seat amphitheater, walking paths, fencing, shade structure, trails, picnic tables, signage, sculpture garden, toilet/washroom facility, equestrian facilities including, but not limited to, a community barn/stable capable of accommodating up to 16 horses, along with associated turn-outs and exercise facilities and parking areas in service to the amphitheater, equestrian and trail access uses.

Ted explained that all other lands associated with the Planned Development District (PD-2) would permit agricultural and outdoor recreation uses including, but not limited to, livestock grazing, fencing, agriculture water well development, trails, seating areas and signage, along with initiatives that support arroyo restoration and stabilization, as well as grassland restoration.

#### C) Participant Questions and Responses

During the course of his presentation, a number of participants asked questions and voiced concerns regarding the proposed Amendment. After considering the land uses associated with the Zone A-E development areas, the participants directed their comments and questions to the proposed uses associated with Lot 8 and Lot 9/23B.

##### *Points of Concern*

While voicing general support for the land uses associated with Zones A-E, participants expressed caution and, among some participants, strong opposition to a proposed glamping use on Lot 8 and Lot 9/23B – a lodging activity that would involve the installation of up to 12 safari-style tents (aka “Bell Tents”) and their associated common area resources (a dining/lounge area), bathrooms and showers.

Among their objections included the risk of inviting “transients” into the preserve – people who might not respect the privacy of current or future residents. Participants also voiced concerns that a glamping operation would risk nighttime noise, light pollution, evening traffic, and possible wildfire events.

While acknowledging that lodging uses were a part of the existing Conceptual Plan allowable uses, participants representing lot owners and home owners of the New Moon Overlook and Southern Crescent neighborhoods expressed concern and disapproval of a land use that could be disruptive after dusk – the current closure time of the preserve’s trail network. Some of the residents shared fears that their property values would be diminished by the activities of the glamping operation.

As a counterpoint to some meeting participants concerns, one property owner recounted his experiences with glamping as an offering that could be very respectful to the environment in which the facilities are located. Loud noise and disruptive behavior were not a part of his glamping experience. Indeed, he noted that clients of the glamping facilities he had visited were seemingly quite affluent and environmentally responsible.

As resident participants voiced concerns that “glamping and commercial uses were inconsistent with the residential purposes of the Southern Crescent,” Ted explained that the existing Conceptual Plan allowed for nonresidential and commercial uses such as a green cemetery, amphitheater, trailhead and parking areas. Rather than an exclusive residential area, the geography of the Southern Crescent was, in fact, already an active an public realm and previously designated for commercial uses.

Without attempting to recount every comment or concern, the focus of protest and disappointment for the glamping aspect of the Amendment centered on the risk of night time noise, possible trespass, disorderly behavior among “transients,” risks of campfires that could result in a wildfire, and a possible impact to property values in the surrounding neighborhoods.

Ted responded to these concerns by assuring the participants that any glamping operation would be managed by an experienced and professional operator – an entity that would provide on-site supervision, oversee the facility’s access, cleanliness and safety, manage the behavior of guests so as to facilitate a respectful and appropriate relationship with the landscape and surrounding communities. In the event the glamping operation proved disruptive or damaging to the preserve or to surrounding residences, Ted advised that the lease terms associated with an operator would have termination provisions where there were instances of mismanagement, inattention or other deficiencies.

Toward that end, participant lot owners and/or homeowners asked if they could be consulted on the terms of any such lease so as to be assured that the rules of conduct and termination provisions would be clearly established and enforceable. Ted said that he would be willing to share drafts of such a lease – although not in a manner that would invite any and all residents or interested parties to prescribe the specific terms or language of the agreement – so as to ensure that the community’s concerns were reasonably and respectfully addressed.

After reiterating their concerns that a glamping proposal for Lot 9/23B could negatively impact homes located on Lot 2 and 10 of the Southern Crescent, among others, Ted agreed to modify the land use allowance associated with the Amendment such that Lot 9/23B *would not* provide for a glamping use. As a further accommodation, Ted agreed that the operation of a glamping facility on Lot 8 would be pursued on a trial basis – staying in dialogue with the nearby property owners to ensure that the facility was managed in a manner that did not unreasonably affect their residential experience.

As an accommodation to the residents’ concerns, moreover, Ted agreed that glamping-type uses might, at a future date, be considered for other areas of the larger preserve where zoning standards allow. Meeting participants encouraged a study of alternative locations, while still expressing caution as to the need for proper management and protection from fire or other risks from a lodging use.

Similarly, concerns were raised regarding a proposed equestrian facility within the Lot 8 and Lot 9/23B areas of the project. Whereas equestrian uses (i.e., corrals, horse trailer parking and equestrian riding) are already

allowed and active within the property, Ted agreed to forego the development of a 20-horse stable in the Lot 8/Lot 9/23B development – acknowledging that a facility of this sort could have impacts inconsistent with the larger conservation goals and ambitions of the preserve.

### III. Closing

Of the eleven participants in the neighborhood meeting, nine were property owners of the New Moon Overlook and Southern Crescent communities. Two participants, Joe and Cathy Miller, were owners of adjoining property.

Although the larger group voiced support for the proposed uses associated with Zones A-E, the glamping use and equestrian facility proposed for Lot 8 and Lot 9/23B were, as described above, actively opposed or only cautiously supported.

The meeting ended at 7:30 pm. No vote of approval or vote of opposition to the larger Amendment was taken. Instead, the group agreed that they would attend the forthcoming public hearings and voice their opinions and concerns to designated decision-makers.

Respectfully submitted –

Ted Harrison  
President, Commonweal Conservancy

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Conceptual Plan Amendment Neighborhood Meeting

Board Room - 314 S Guadalupe Street

Sign In Sheet

| Name                | Address             | City, State, Zip Code | Phone Number   | Email Address            |
|---------------------|---------------------|-----------------------|----------------|--------------------------|
| 1. Samuel Chua      | Po Box 1073         | San Jose 95102        | (408) 670-2368 | bluesky@30me.com         |
| 2. Ken Buntkowski   | 201 New Wood Ave    | San Jose 95130        | 415-616-5688   | kbowen@outlook.com       |
| 3. Joe Miller       | 286 River Bank      | San Jose 95131        | 414-989        |                          |
| 4. Kathy Miller     | 17 Riverbank Rd     | San Jose 95131        | 4706999        | Milica.Kelly71@gmail.com |
| 5. Amy Regalado     | 2 Southern Crescent | San Jose 95131        | 624-483-0941   | ajregalado@whs.com       |
| 6. Michael Regalado | 2 Southern Crescent | San Jose 95131        | 624-483-0941   | pot@me.com               |
| 7. Josh Freeman     | 3784 N. Camino Real | Tulsa 74116           | 913-522-4716   | jfreeman3@gmail.com      |
| 8. Pat Kelly        | "                   | "                     | 913-522-7364   | KELLY.P.T@UMKC.EDU       |
| 9. Diana Suslo      | "                   | "                     | "              | "                        |
| 10. JOURNAL FORGERS | 1982 Gates Circle   | San Jose 95131        | 805-954-1411   | jfrank@me.com            |
| 11. KAREN BUNTOWSKI | 100 NEW WOOD AVE    | SAN JOSE 95130        | 801-557-9360   | k.buntowski@outlook.com  |
| 12.                 |                     |                       |                |                          |
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2500 CLARENDON BLVD APT 814  
ARLINGTON, VA 22201

JOSEPH MILLER  
286 RIVERBANK RD  
LAMY, NM 87540

ROBERT PALARDY &  
HOLLYE GALLION  
819 BOSCOBEL ST  
NASHVILLE, TN 37206-3727

STEVEN & ELLEN KOHN  
173 CHISHOLM TRAIL  
SANTA FE, NM 87506-9576

GERALD HICKS  
4177 ST. ANDREWS WAY  
ANN ARBOR, MI 48103

JIM THORNTON  
4 ENSENADA DR  
SANTA FE, NM 87505

ELEANOR M. CAPONIGRO  
1440 BISHOPS LODGE RD  
SANTA FE, NM 87501

GERALD DEAN DUKEMIINIER  
284 15 US HWY 285  
LAMY, NM 87540

CAROLYN M. DUKEMINIER  
284 15 US HWY 285  
LAMY, NM 87540

ROBERT & LISA GOSPER-ESPINOSA  
25 CAMINO LARGO  
SANTA FE, NM 87507

CHARLES & MARILYN HERTZ  
90 THORNTON RANCH RD  
LAMY, NM 87540

SADDLEBACK RANCH  
ESTATES LLC  
4811 NOLDA STREET  
HOUSTON, TX 77007

CIMARRON NEW MEXICO LIMITED  
286 RIVERBANK RD  
LAMY, NM 87540

MICHAEL & MARCIA BOURQUE  
10822 CRANBROOK RD  
HOUSTON, TX 77042

JEAN THOMAS & JOHN WOYNICKI  
UNIT 5090 BOX 3233  
DPO, AE 09265

SANTA FE RANCLAND  
C/O ELYSE D EISENBERG  
1230 HORN AVE #526  
WEST HOLLYWOOD, CA 90069

EDWARD DURHAM  
P.O. BOX 23445  
SANTA FE, NM 87502

ERIC & SUSAN HENLEY  
1858 TERRACE DR  
EL CERRITO, CA 94530

HARRIET ROBBINS  
2333 PINE KNOLL DR, #1  
WALNUT CREEK, CA 94595

DIANNE SUSLO  
2 WILDFLOWER WAY  
SANTA FE, NM 87506

TODD & CATHERINE SICKLES  
1750 P STREET, NW #404  
WASHINGTON, DC 20036

HARRIET ROBBINS  
2333 PINE KNOLL DR, #1  
WALNUT CREEK, CA 94595

GLENN HUGHES  
2321 CANDELARIA ROAD, NW  
ALBUQUERQUE, NM 87107

KATHRYN TOLL - HWY 285  
S. SUSTAINABILITY ALLIANCE  
65 CAMINO ACOTE  
SANTA FE, NM 87508

WALTER WAIT  
SAN MARCOS ASSOCIATION  
48 BONZANZA CREEK ROAD  
SANTA FE, NM 87508

WAYNE KING - GALISTEO MUTUAL  
DOMESTIC WATER ASSO  
22 AVENIDA VIEJA  
GALISTEO, NM 87540

ROGER TAYLOR - RANCHITOS  
DE GALISTEO WATER ASSOC.  
54 CAMINO DE LOS ANGELITOS  
GALISTEO, NM 87540

Paul and Barbara Kukucheck  
11740 Maywind Ct.  
San Diego, CA 92131

Todd Wade and Barbara Dutton  
32 Horse Trail  
Santa Fe, NM 87508

The Blea Compton Trust  
2933 Candlelight Lane  
Palm Springs, CA 92264-6823

Amy and Michael Regalado  
2 Southern Crescent  
Lamy, NM 87502

Donna Reynolds  
510 N Guadalupe Ste E  
Santa Fe, NM 87501

Karen Yank  
PO Box 23775  
Santa Fe, NM 87502

Philip Tuwaletstiwa  
23 La Vega  
Galisteo, NM 87540

SFC CLERK RECORDED 10/08/2019



**Jose Larranaga**

**From:** Cartwright, David <dcartwright@omm.com>  
**Sent:** Monday, September 9, 2019 9:06 PM  
**To:** Jose Larranaga  
**Subject:** Village at Galisteo Basin Preserve Conceptual Plan

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I am writing to you in support of the Conceptual Plan Amendment to the "Trenza" project. I (and my group of investors) am an owner of three lots in New Moon and four lots in the Southern Crescent area, along with additional acreage in the East Preserve area and in the Conservation Ranches area. We have owned our properties for over a decade. I have believed in the Galisteo Project and supported it for over that same decade. The injection of new funds from the Thaw Foundation has enabled the key themes of the Galisteo Basin Preserve to be validated and protected.

Though I am somewhat disappointed at the loss of the village, I think that the Conceptual Plan Amendment is a solid substitute. The glamping feature is a novelty, but an important addition to the outdoor possibilities that was lacking in the original plan which focused more on the permanent housing element. The Preserve's longstanding goals of enhancing public access to the outdoor experience will be well-served by a seasonal glamping operation. I strongly support it. Similarly, the amphitheater, the green cemetery and the communication tower provide a sustainable alternative to the village that offsets the loss of housing and some commercial features with additional needed amenities and services.

Additional trails and trailheads, and parking, will address the increasing demand coming from the broader Santa Fe community of which I am a part.

I am not just a landowner. I am a user of the trails and I see this Conceptual Plan amendment as the best alternative for the future. And I live in Santa Fe County. Whether I am looking out from a lot in New Moon, or down in the valley of Southern Crescent near the Cowboy shack, I see a great asset for the future of Santa Fe County, provided that we provide enough affirmative recreational uses and flexibility in the plan going forward.

Certainly, there will be voices that want the village replaced with nothing, but that is not practical and "nothing" will not meet the minimal economic needs, the conservation goals or the recreational demands that are so well thought through in the Preserve. Please listen to those critical voices, but please also challenge the unstated premise of their argument, which is "we got here first, and we don't want anyone else around us." The Preserve was designed and approved for use by all of us. Let it stay that way.

Thanks for listening...

David W. Cartwright  
3301 Camino Lisa  
Santa Fe NM 87501  
505-983-9547 (Santa Fe)

SFC CLERK RECORDED 10/08/2019



Jose Larranaga

From: Dianna Suslo <diannas18@gmail.com>  
Sent: Thursday, September 12, 2019 12:11 PM  
To: Jose Larranaga  
Subject: Trenza Proposal

To those in attendance and the county hearing officer, Richard Virtue,

This is what the GBP website says about Southern Crescent:

"...quality of privacy and topography and by panoramic views of the southern Galisteo Basin, the Ortiz Mountains, the wave-like Cerro Pelon, and the intimate La Cañada Basin."

I understand that Commonwheel Conservancy and the Galisteo Basin Preserve needs funds, but it should not be at the expense of the peace and quiet of the current and future residents who have invested in land, paid dues for years, and who have pinned their hopes and dreams on building their homes.

My previous understanding (when I purchased my lot and since then) was that the trails on the other side of the arroyo from my house at lot 20 (West of my home site) were to remain trails and open space, and that any development would occur in what Ted referred to in the community meeting as, "Trenza Proper" (what appears to be lot 22 on the map?), at the end of Astral Valley Rd where there is a lot of open space that is not next to any housing.

Expressing resilience in my attempts to live on my land in Southern Crescent, during the near foreclosure, I pursued the possibility of a moveable tiny house, but the plans were denied. I held on through the unstable times, though I have really needed to build a healthy house for myself. So I hope that my needs and those of other S. Crescent owners and future owners, (since so many lots are for sale) are seriously considered. I bought the land in that spot as I was told that building would never happen to the South and West of my lot. I need clean air for my health.

I understood there was a possibility of a green cemetery and an amphitheater, but was not told it could essentially be in my back yard. A place for quiet, daytime, educational nature events, away from residential areas, would be appropriate to the spirit of GBP, but Lots 8 and 9 are way too close to Southern Crescent to develop. Ted stated at the meeting that the proposed location is 1/2 an acre from my lot. Why not site the amphitheater in area A or B, away from houses? Developing lots 8 and 9 compromises the potential sound and air quality of my lot and all of Southern Crescent, but especially those on the cul de sac. Why was the proposed development area moved? I would not have bought the lot knowing there would be a cemetery next door. Glamping would change quality of life for residents. People who are not residents will be coming and going throughout the night, and there would be associated safety, noise, and air quality issues. The winds often come from the West. There may be outdoor fires, which means smoke, and propane fumes. There is always a fire risk. The camp ground would be leased to an outside entity who may or may not share the values of the GBP.

I have been working with an architect on my plans since February. However, I was not given any indication that a change in plans was upcoming. The architectural planning has been a significant investment of time and energy. The plan includes views to the West, which are nice views of trails, open space, and mountains, but which are threatened by the new Conceptual Plan.

Water tanks in area C could potentially impact views from Southern Crescent and should be restricted.

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Cemeteries are special, spiritual places, and deserve careful placement. A quiet place away from camping, houses, and an amphitheater would be best, providing for a peaceful place for people to visit their deceased loved ones.

Only one and a half days were given to the community between the community meeting and the hearing, which was not enough time to process and make any preparations.

The Developer's and The County's participation in this process up until this time has been greatly appreciated and will continue to be so as we move forward in addressing these concerns.

*Dianna Suslo*  
*(505) 983-8513 (h)*  
*(602) 770-4843*

*Your body is boundless. It is channeling the energy, creativity, and intelligence of the entire universe. The design is divine.*