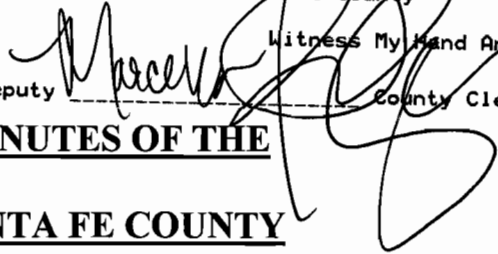




I Hereby Certify That This Instrument Was Filed for
Record On The 27TH Day Of July, 2010 at 12:08:13 PM
And Was Duly Recorded as Instrument # 1606138
Of The Records Of Santa Fe County

Deputy  Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

MINUTES OF THE
SANTA FE COUNTY

DEVELOPMENT REVIEW COMMITTEE

Santa Fe, New Mexico

June 17, 2010

This meeting of the Santa Fe County Development Review Committee (CDRC) was called to order by Chair Jon Paul Romero, on the above-cited date at approximately 4:05 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Roll call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

Members Present:

- Jon Paul Romero, Chairman
- Susan Martin, Vice Chair
- Don Dayton
- Juan José Gonzales
- Charlie Gonzales
- Jim Salazar
- Maria DeAnda

Member(s) Excused:

[None]

Staff Present:

- Jack Kolkmeier, Growth Management Director
- Shelley Cobau, Planning Division Director
- Jose Larrañaga, Development Review Specialist
- Dennis Manzanares, Assistant County Attorney
- John Michael Salazar, Development Review Specialist
- Vicki Lucero, Development Review Team Leader

III. APPROVAL OF AGENDA

Shelley Cobau announced that in addition to the two tablings on the amended agenda, staff was seeking clarification regarding the action taken in the findings of fact for the Mine Shaft Tavern.

SEC. CLERK RECORDED 7/27/2010

SEC CLERK RECORDED 7/27/2010

Jose Larrañaga explained that on page 2, condition 2 of the order in the packet the wording is: "Subject to No. 5 below, applicant's existing non-conforming uses at the Mine Shaft site, including outdoor entertainment and/or activity conducted on the site shall cease and shall not be conducted unless and until applicant is given final approval."

The alternative wording [Exhibit 1] is as follows: "Subject to No. 5 below, applicant's existing non-conforming uses at the Mine Shaft site, including outdoor entertainment and/or activity conducted until such time as the applicant submits a comprehensive master plan in compliance with the Code submittal requirements." This would mean the applicant has until July 30th to submit an acceptable master plan and until that time no outdoor activities are allowed.

Mr. Larrañaga clarified that the order in the packet states that no outdoor activity would be allowed until the master plan is approved by the Board of County Commissioners. The alternative wording would allow outdoor activity once a comprehensive master plan that meets Code requirements is submitted.

Jack Kolkmeier added that this refers to activity on the porch area, not the whole property.

Reviewing the history, Member DeAnda noted the initial submittal apparently was not complete. She said the neighbors were concerned that a master plan should be approved, at least by the CDRC. Mr. Kolkmeier said the original stipulation was that submission of a complete master plan would be viewed as a good faith effort and staff feels the same rules should apply this time.

Member J.J. Gonzales stated his recollection was that the applicant was required to bring in a master plan that was approved by staff before activity could resume, and it would be unfair to change the requirements at this time.

Member Salazar pointed out the case before the CDRC at the last meeting was to extend the deadline for submittal, not to change the parameters.

Member Salazar moved to approve the final order to include the wording in Exhibit 1 and that activity can resume at such time the applicant submits a comprehensive master plan meeting Code requirements. Member C. Gonzales seconded and the motion passed with Member DeAnda casting the sole nay vote.

**IV. APPROVAL OF MINUTES:
May 13, 2010 Special Meeting**

Member Martin moved to approve the special meetings minutes as submitted. Member C. Gonzales seconded and the motion passed by unanimous voice vote.

May 27, 2010 Regular Meeting

Upon motion by Member C. Gonzales and second by Member Martin the May 27th minutes were unanimously approved. Member DeAnda abstained.

V. CONSENT CALENDAR

Final Order

a. CDRC Case # MIS 09-5381 Mine Shaft Properties, LLC Extension.

Lori Lindsey, applicant Requested an Extension, of the Submittal Deadline Requirement For Master Plan application, as Specified in the Order of the County Development Review Committee. The Property is Located Within the Traditional Community of Madrid At 2846 State Highway 14, Within Section 36, Township 14 North, Range 7 East, (Commission District 3). Jose E. Larrañaga, Case Manager, APPROVED 5-0

[See above under Approval of the Agenda.]

VI. OLD BUSINESS

- A. CDRC Case # V 09-5270 Bryan Berg Variances. Bryan Berg and Kristin Carlson, applicants, Request Approval of Seven Variances of the Uniform Fire Code and Urban Wildland Interface Requirements and of Article VII, Section 2 (Liquid Waste Disposal), Article VII, Section 3 (Terrain Management), Article V, Section 8.2 (Road Design), and Article III, Section 2.3 (Site Planning Standards For Residential Use) of the Land Development Code: 1) to Allow the Height of a Residence to Exceed 18' Feet and to Allow the Overall Height (From Highest Parapet to Lowest Natural or Finished Cut Grade) to Exceed 30 Feet; 2) to Allow the Slope of the Driveway to Exceed 11%; 3) to Allow a Driveway to Be Less Than 14 Feet Wide (As Required By Fire Code); 4) to Allow a Turnaround That Does Not Meet Fire Code Requirements; 5) to Allow a Retaining Wall Greater Than 10 Feet in Height; 6) ~~to Allow a Conventional Liquid Waste Disposal System Rather Than an Advanced Liquid Waste System;~~ 7) to Allow Disturbance of Slopes Greater than 30%; and 8) to Allow a Finished Floor Elevation to Exceed 5 Feet Above Natural Grade. The Property is Located At 11 Mountain Top Road, Within the Overlook Subdivision, Within Section 16, Township 16 North, Range 10 East (Commission District 4) Vicki Lucero, Case Manager**

In view of previous meeting discussing this case the chair determined a full presentation and public hearing were not necessary.

Vicki Lucero read the caption and gave the staff report as follows:

“On April 15, 2010, this case was heard by the CDRC. At that meeting the applicant withdrew his request for the variance to allow a conventional liquid waste disposal system. The decision of the CDRC was to table this case in order to conduct a site visit to the subject property. On May 13, 2010, a site visit was conducted.

Ms. Lucero stated staff was recommending approval subject to the following conditions:

1. No grading or disturbance of ground beyond grading limits shown shall occur. Except for developable areas for building envelopes, roads, or driveways, disturbance of natural vegetation shall be prohibited. Cleared or graded areas, or cut and fill areas shall be re-vegetated to the approximate original density and type of vegetation existing prior to disturbance.
2. Per revised drawings the area at the end of the driveway nearest the proposed residence shall incorporate a modified hammerhead turnaround.
3. With the exception of an approximately 60' section of the driveway which is 12 to 13 percent in slope which the Fire Department feels it can safely negotiate, the maximum slope for the 14' wide driving surface shall not exceed 11%.
4. Installation of Automatic Fire Protection Sprinkler systems meeting NFPA13D requirements is required.

Chairman Romero thanked staff for arranging the site visit.

Member Dayton asked if the Fire Marshal had any reservations regarding the request. Ms. Lucero referred to the Fire Marshal's letter in the packet, which named various conditions to which the applicant is in agreement.

Member J.J. Gonzales pointed out that the report refers to a variance for liquid waste disposal, whereas he recalled that the request for a conventional system was withdrawn.

Member DeAnda expressed lingering reservations regarding the steepness and narrowing of the road. Ms. Lucero said the Fire Marshal approved of narrowing and steepness only for short portions of the road. Member DeAnda said the narrowness was particularly troubling.

Duly sworn, applicant Brian Berg said there is a trade-off with the hammerhead, which would allow emergency vehicles to turn around and thus they would not be required to back down a very narrow road. He said the bulk of the road is rock.

Mr. Berg said he would like to make the road as wide as possible, keeping in mind the trees and the amount of grading involved. He hoped the site visit demonstrated the unusual topography of the lot.

Member C. Gonzales referred to a section of the Code that allows for some disturbance of 30 percent slope. Ms. Cobau said you may disturb three separate

occurrences of 30 percent slope as long as no disturbance is greater than 1,000 square feet. She suggested placing guardrails at the section of the road that is narrower.

Member C. Gonzales moved to approve CDRC Case #C 09-5270, with staff conditions and with inclusion of a guardrail. He said his decision was based on the site visit, not based on the Solar Rights Statute. Member Martin seconded.

Chairman Romero clarified that there are a number of options for a guardrail, and this could be approved administratively.

The motion carried by unanimous voice vote.

Ms. Cobau reminded that applicant that the case would go before the BCC.

VII. NEW BUSINESS

A. **CDRC Case # S 04-5421 Vallecita de Gracia Subdivision. JK², Inc. (Jim Brown) Applicant, Siebert & Associates, Agent Request a Preliminary and Final Plat and Development Plan Amendment to the Previously Approved Vallecita de Gracia Subdivision to Create Three Additional Lots in Addition to the Previously Platted 11 Lots for a Total of 14 Lots on 42 Acres. The Property is Located Along County Road 54, North of the Intersection of County Road 54 and Paseo de Angel, Within Sections 22, 27 and 28, Township 16 North, Range 8 East (Commission District 3) Vicki Lucero, Case Manager [Exhibit 2: Letter from the La Cienega Valley Association]**

Ms. Lucero gave the following staff report:

“On October 8, 1998, Preliminary Plat approval was granted for this project by the EZC, which consisted of a 16-lot residential subdivision on 42 acres. On October 14, 1999, a Preliminary Plat extension for 12 months was granted by the EZC in accordance with the Extraterritorial Subdivision regulations Section 3.3.5.

“On June 21, 2000, La Cienega became a Traditional Historic Community and the Vallecita de Gracia Subdivision being part of this area was no longer under EZ jurisdiction. On November 14, 2000, the Board of County Commissioners granted a one-year extension of the Preliminary Plan and Plat. On October 9, 2001 the BCC granted a second one-year extension of the Preliminary Plan and Plat, which expired on October 8, 2002.

“On March 10, 2005, the BCC granted Preliminary and Final Plat and Development Plan approval for the Vallecita de Gracia Subdivision which consisted of an 11 lot subdivision. The five additional lots that were part of the original application were not created at that time due to the lack of an all weather access to those lots .

“Since that time the County has constructed an all weather crossing on Paseo de Angel on the north side of Los Pinos Road (CR 54). The applicant is now requesting to create three additional lots that now have all weather access. The applicant is requesting a Preliminary and Final Plat and Development Plan Amendment to the previously approved Vallecita de Gracia subdivision to allow the creation of three additional lots for a total of 14 lots.”

Ms. Lucero stated the application was reviewed for access, terrain management, water, liquid and solid waste, fire protection and archeology.

She stated staff finds the proposed subdivision to be in compliance with Article V, Section 5.3 (Preliminary Plat Procedures), Article V, Section 5.4 (Final Plat Procedures), and Article V, Section 7 (Development Plan Requirements) of the Land Development Code. Therefore, staff recommends approval of an amendment to the previously approved preliminary and final plat and development plan for the Vallecita de Gracia Subdivision to allow the creation of three additional lots subject to the following condition:

1. All redlines shall be addressed; original redlines shall be returned with final plans.
2. All residences will be required to install automatic fire suppression systems. This will be noted on the plat.

Member Dayton asked about a provision in the original conditions calling for a park. Ms. Lucero said there could be an open space requirement rather than a park requirement.

Member DeAnda asked if a new geo-hydro report had been submitted. Ms. Lucero said a report was submitted as part of the original application and reviewed by the State Engineer at that time.

Member C. Gonzales asked if subsequent to the completion of the previous subdivision an inspection was made. Ms. Lucero said staff normally does a final inspection; she wasn't sure if a letter had been written to that effect, however, she assumed that the bonding funds were released. Member C. Gonzales asked that the crossing be included with the plans.

Ms. Cobau said staff has not seen the engineering plans for Paseo de Angel; it is up to Public Works to do due diligence to ensure everything is up to Code.

Member DeAnda asked if the three lots in question had been dedicated to open space. Ms. Lucero said there is a flood plain on the property, as well as an archeological easement, and these will remain open space.

Referring to the two lots yet to be developed, Member DeAnda asked if those were open space. Ms. Lucero stated they currently are, since they're not being developed due to the lack of an all-weather crossing to the south side of Los Pinos Road. Once that crossing is done those lots could be developed.

Member Martin asked if connection to the County water system was anticipated. Ms. Cobau indicated that the La Cienega Ordinance requires hookup once the system is within 200 feet. The utility has not required connection at this time.

Under oath, Jim Siebert, agent for the applicant, provided background on the subdivision. The initial geo-hydro and traffic reports were done for 16 lots. These three lots were initially not allowed due to lack of an all-weather crossing. The County subsequently built that crossing and now the applicant is requesting to develop these lots. Referring to a letter confirming inspection, Mr. Siebert said he knew the funds were released and there was an added condition at that time of a water tank for fire protection.

Chairman Romero asked if there would be adequate open space once these lots are developed. Mr. Siebert said he did not recall any condition asking for a park. There was a condition prohibiting encroachment on the edges of the drainage. Open space is part of individual lots.

Member DeAnda asked if the remaining two lots would be coming forward for approval in the future. Mr. Siebert said currently there are no plans to build a bridge in that area. Member DeAnda asked about Lot 2, which appears to be taken up with the archeological easement. Mr. Siebert said they are required to show an adequate building site. In this case the envelope is outside both the easement and the floodplain.

Member DeAnda asked about the sources of water. Mr. Siebert said this will use a third shared well on the property.

Chairman Romero asked about the size of the archeological easement. Mr. Siebert said a minimum of 7,800 square feet is required for a building envelope and this lot has it.

Noting the plans were from the original development, Member C. Gonzales asked if there was any new engineering that could apply. Mr. Siebert explained how the County came to accept Paseo de Angel for maintenance in order to apply for funding. All the roads and utilities are already in place and accepted by the County.

Member J.J. Gonzales pointed out Paseo de Angel has been a problem for many years and many attempts were made to get an all-weather crossing. He asked what Mr. Brown had done to get the crossing done. Mr. Siebert said there was no financial contribution by any of the 40 residents served by the bridge. Member J.J. Gonzales said he felt it was unfair that a developer could take advantage of the crossing without contributing. He also broached the subject of a park and asked whether Mr. Brown would be willing to contribute to a park. Mr. Siebert speculated he would not, but he did install a 30,000 gallon water tank that at the time was the only fire protection in the area.

Chairman Romero pointed out that in the Community College District developers are required to contribute to infrastructure. Ms. Lucero said there was no language to that effect in this application.

Responding to a question from Member C. Gonzales, Ms. Cobau said other owners are coming in to develop now that the deed restrictions no longer apply.

Member Salazar asked if the floodplain has been remapped recently. Ms. Cobau said it will be studied before the end of the year and there will be new maps coming. Member Salazar expressed his concern that the buildable area defined on Lot 2 was very close to the floodplain and the restudy could impact that. Ms. Cobau said that was a realistic concern. She explained how the 75-foot setback was defined. Revetments might be required. Member Salazar asked if these are legal lots of record. Ms. Lucero said these three lots never got approval and were originally shown as a tract, so they are not legal lots of record.

Responding to questions from Member DeAnda, Ms. Cobau said the wells and septic systems cannot be sited inside the floodplain. Member DeAnda said the geo-hydro reports were five years old which was a concern.

Member J.J. Gonzales noted there appeared to be a requirement of 8.4 acres of open space. Ms. Lucero said that was from the time the area was in the Extraterritorial Zone. Those requirements no longer apply. Member J.J. Gonzales said there appears to be a loophole whereby they can pump three acre-feet a year. Ms. Lucero said that is from the State Engineer; the County has more stringent restrictions. Water restrictions will be recorded with the plat.

There was no one from the public wishing to speak.

Member C. Gonzales moved to approve CDRC Case #S 04-5421 with staff conditions. Chairman Romero asked for a friendly amendment requiring each lot to have a meter and a ¼ acre-foot restriction. The friendly amendment was accepted. Member Dayton seconded and the motion passed by a 4-3 vote with Members DeAnda, Martin and Salazar voting against.

C. CDRC Case # V 10-5130 Cecilia Salmeron Variance. Cecilia Salmeron, applicant, Requests a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow a Second Dwelling Unit on 0.229 Acres. The Property is Located Within the Traditional Community of Cerrillos at 43 Main Street, within Section 18, Township 14 North, Range 8 East, (Commission District 3) John M. Salazar, Case Manager [Exhibit 3: Letter of Opposition]

John Michael gave the following staff report:

“The applicant, requests a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to allow a second dwelling unit on .229 acres. the property is located within the Traditional Community of Cerrillos.

2010 JUN 17 10:27 AM CLERK RECORDED 7/27/2010

Santa Fe County Ordinance No. 2006-11 and Article III, Section 10 states the minimum lot size in this area is .75 acres per dwelling unit.

“On July 14, 2009, Santa Fe County Code Enforcement responded to a complaint about unpermitted development and a Notice of Violation was issued. On July 27, 2009 a Final Notice of Violation was issued. The applicant did not respond in a timely manner so the matter was filed into District Court on September 9, 2009 where a summons was set for January 28, 2010. The applicant filed for a variance on March 5, 2010 and received a continuance on her hearing while she goes through the public hearing process.

“The applicant currently has one home on the property served by one conventional septic system and community water. The applicant is proposing that the new residence will have its own septic system and will also have a separate meter for the local community water system. The applicant has stated that this property had a second dwelling unit on it as recently as 2000 or 2001 and the infrastructure is already in place. The applicant is requesting the variance in order to have her granddaughter closer as she is getting older and needs more help around the house and running errands.”

Mr. Salazar stated staff recommends that the request for a variance be denied; Ordinance No. 2006-11 and Article III, Section 10 states that the minimum lot size in this area is .75 acres per dwelling unit.

Member C. Gonzales asked if the mobile home had been permitted. Mr. Salazar explained there were two homes on the property prior to 1981, which allowed the mobile home to be grandfathered in. He said Code Enforcement visited the property last month and verified the debris on the property has been cleared.

Duly sworn, Eugene Marquez, son-in-law to the applicant, said Cecilia Salmeron is nearly 89 and in poor health. She grew up in Cerrillos and inherited the property in 1958. There have been mobile homes on the property since the seventies, and various improvements have been made since that time. There is one septic tank for the two dwellings. In 1991 Mr. Marquez' daughter moved a mobile home onto the property and it remained there approximately ten years. She recently decided to move back to be available to her grandmother. The mobile home is old and is undergoing repairs and this occasioned a number of complaints. They are thinking about putting up a fence while the repairs are being done. The variance would be temporary until the property changes hands.

Ms. Cobau noted there is no such thing as a temporary variance in the Code.

In response to questions from Member DeAnda, Mr. Marquez said he lives in Rio Rancho and the closest other family member lives in Santa Fe. He said the nature of the complaints have to do with unsavory characters that have been allowed to live there and there have been incidents involving Ms. Salmeron's 70-year old son.

SEC. CLERK RECORDED 7/27/2010

Member J.J. Gonzales asked if there were any .75-acre lots in the area, which is the designated minimum lot size. Mr. Salazar said most of the lots are about ¼-acre and are legal non-conforming, created before 1981. It's difficult to tell if the lots have more than one dwelling.

Mr. Marquez said all the dwellings on the lot have been mobile homes, and the septic tank was approved.

The public hearing was opened and Tom Warren was placed under oath. He said his property consists of five of the traditional Cerrillos lots, which are 25 feet by 100 feet. With a septic system, not much room remains for dwellings. Most lots have been consolidated from several. As a past president of the water system he is aware only one meter is allowed per lot. He is not in favor of the variance.

Member J.J. Gonzales asked if he knew there were two water meters on the applicant's lot, and he was not.

Member DeAnda moved to deny CDRC Case #V 10-5130 since the applicant has failed to prove extraordinary hardship. The privacy fence would not resolve the issues raised by the neighbors. Member Dayton seconded the motion, which passed by unanimous voice vote.

E. CDRC Case # S/ PDP 07-5101 Santa Fe Metro Center. Paul Parker, applicant, Jim Seibert, Agent, Requests Approval of Preliminary Plat to Allow Twelve Industrial/Warehouse Lots on Nineteen Acres and Preliminary Development Plan Approval for the Nineteen-Acre Site. The Property is Located On the East Frontage Road, Within Section 26, Township 16 North, Range 8 East, (Commission District 5) Jose E. Larrañaga, Case Manager

Jose Larrañaga gave the following staff report:

“On August 14, 2007, the Board of County Commissioners approved the vacation of a conservation easement to include 14.19 acres of developable land to the Santa Fe Metro Center, Master Plan Zoning to allow for commercial and industrial uses and Master Plat authorization to allow the Land Use Administrator to approve the lot layout of individual lots administratively.

“The applicant requests preliminary plat approval, for Tract 1, to create nine lots on 14.19 acres. The applicant also requests preliminary plat approval, for Tract 2, Lot 14, to create three lots on 5.37 acres. Subsequent final plats will be submitted in compliance with all prior approvals and shall be reviewed administratively by the LUA.

SPS CLERK RECORDED 7/27/2010

“Article V, Section 5.3.5.a (Preliminary Plat Approval) states: ‘Approval or conditional approval of a preliminary plat shall constitute approval of the proposed subdivision design and layout submitted on the preliminary plat, and shall be used as a guide to the preparation of the final plat.’”

“Article II, Section 2.3.1, Administrative Decisions, allows the LUA to approve or deny Plat amendments of an existing plat.

“The applicants also request preliminary development plan approval for the 14.19-acre site to allow industrial/warehouse use. Prior approval, by the BCC, vacated the 14.19-acre site as a conservation easement and allowed for zoning as commercial and industrial use.

“Article V, Section 7.1.3.a. (Development Plan Requirements) states: ‘A preliminary development plan may be only a phase or portion of the area covered by an approved master plan, so long as the preliminary development plan substantially conforms to the approved master plan’”.

The application was reviewed for the following: Signage, lighting, architectural, existing development, adjacent property, access, terrain management, water, liquid and solid waste, fire protection, landscaping.

Mr. Larrañaga said staff has reviewed this application and has found the following facts to support this submittal: the preliminary plat conforms to the approved master plat; the preliminary plat allows for the Land Use Administrator to adjust lot lines on the Final Plat; the preliminary development plan substantially conforms to the approved Master Plan; infrastructure for the Metro Center has been largely completed; the Santa Fe Metro Center is located in a predominately commercial development; the proposal for preliminary plat and preliminary development plan meet the criteria set forth in the Land Development Code.

The review comments from State Agencies and Development Review Services has established findings that this Application is in compliance with Article V, Section 5.3.5.a. Preliminary Plat and Article V, Section 7.1.3.a. Development Plan Requirements of the Land Development Code. Staff recommends approval of, Preliminary Plat on Tract 1, to create nine lots on 14.19 acres and Tract 2, creating three lots on 5.37 acres. Staff also recommends approval of Preliminary Development Plan for Tract 1 (14.19 acres) of the Santa Fe Metro Center to allow industrial/warehouse use, subject to the following conditions:

1. All Staff redlines must be addressed, original redlines will be returned with final plans for preliminary plat and preliminary development plan.
2. New Mexico State Department of Transportation requires the development comply with the requirements of the “State Access Management Manual”. Approved driveway permits will be required for the change of use of these access points before development activities commence.

Member C. Gonzales asked if the County was still holding a financial guarantee. Mr. Larrañaga said he believed it had been released. Member C. Gonzales noted that in the future it would be helpful to see some confirmation of inspection.

Ms. Cobau stated she and Mr. Dalton are now doing final inspections and releases.

Member DeAnda asked for and received specifics on the drainage pattern.

Previously sworn, Jim Siebert further explained the drainage system and gave a history of the property. The conservation easement was established in 2002 and subsequently vacated.

Chairman Romero asked if there is a swale or ditch. Mr. Siebert said that detail is currently missing on the map but there will be a ditch behind lots 5 through 12 that will be shown on the final plat.

Member J.J. Gonzales asked if this would be tying into Valle Vista wastewater system and whether they would be contributing financially to the upgrade of that system. Mr. Siebert stated they are in discussions involving a lift station. They will be participating on a pro rata basis financially.

Member J.J. Gonzales asked if they were tied into the County water system and Mr. Siebert said they are on a community system and have transferred water rights to that system. However, the County system is extended to the area for purposes of fire protection and with additional water rights the system could be switched over. They have a ready-willing-and-able letter from the County and are negotiating details.

Member DeAnda noted that the use list includes hotels and restaurants. Mr. Siebert said the situation has changed recently in that there is now a Rail Runner stop within walking distance of the property which has changed the character of the area. Member DeAnda said that raises water concerns, and asked how many lots will ultimately be developed. Mr. Siebert said there are 25 lots in the park. The County will only approve development to the extent there are water rights to serve that development.

There was no one from the public wishing to speak.

Member C. Gonzales moved to approve CDRC Case #S/PDP 07-5101 with staff conditions and Member Salazar seconded. The motion passed unanimously.

REC CLERK RECORDED 07/27/2010

F. CDRC Case # DP 09-5231 Galisteo Village Store Final Development Plan. Timothy Willms applicant, Stephen Samuelson, Agent, Request Final Development Plan Approval for the Galisteo Village Store, Private Social Club For the Village, Studio/Office and Residence Consisting of a Footprint of 4,952 Square Feet On .568 Acres. The Property is Within the Traditional Community of Galisteo, At 2 Via La Puente, Within Section 36, Township 14 North, Range 9 East, (Commission District 3) Jose E. Larrañaga, Case Manager

Mr. Larrañaga read the case caption and gave the staff report as follows:

“On November 10, 2009, the Board of County Commissioners conducted a public hearing on the request of the applicant for Master Plan and Preliminary Development Plan for a Village Store, private social club and studio/office on .568 acres. The BCC, having reviewed the application, staff reports and supplemental materials approved the request.

“Currently there are three structures, one of which was utilized in the past as a general store, a residence and a building currently used as an office/studio. the applicant proposes to utilize the existing structures, with some minor expansion and improvements, for the proposed development.

“The structure, which historically operated as a store formerly known as La Tiendita and Anaya Country Store, will be used as a coffee shop, grocery store, small art gallery, village social club and community kitchen. A 270 square foot bathroom addition is proposed for this structure. A 1,069 square foot addition will be added to the existing residence. The building, currently used as an office/studio, will be utilized as an office and a 220 square foot bathroom and walk in freezer area is proposed to be added to this building. The total footprint of the proposed development will consist of 4,952 square feet and meets the 20% lot coverage requirement for this development.

“The applicant holds a lease to an adjoining .433-acre parcel which is owned by the New Mexico Land Office. This parcel of land will be utilized by the proposed development for access, over flow parking and leach fields for the septic system. the use of the leased parcel for leach fields has been approved by the New Mexico Environmental Department.

“The applicant has met with the Galisteo Neighborhood Association to discuss the project and states that the community is in support of the proposed development.”

The application was reviewed for the following: existing conditions, adjacent properties, parking, access, outdoor lighting, signage, water, fire protection, liquid and solid waste, terrain management, landscaping and archeology.

SEC CLERK RECORDED 7/27/2010

Mr. Larrañaga said staff has reviewed this application and has found the following facts to support this submittal: The proposed site is a significant piece of history of the Galisteo Community. The Applicant has taken measures to preserve the historic integrity of the structures and the community. The Applicant has met with the community to discuss the proposed development. The proposal for Final Development Plan meets the criteria set forth in the Land Development Code.

The review comments from State Agencies and Development Review Services has established findings that this Application is in compliance with Article V, Section 7.2 (Final Development Plan), Article III Section 4.4 (Development Plan Procedures) and Article III, 4.2.2 (Traditional Community Districts) of the Land Development Code. Staff recommends final development plan approval, of the Galisteo Village Store, private social club for the village, office and residence consisting of a footprint of 4,952 square feet on .568 acres, subject to the following conditions:

1. All staff redlines must be addressed, original redlines will be returned with final plans for final development plan.
2. Due to the historical nature of the property and the close proximity to an existing church, any zoning statement, for, or variance of, the Alcohol and Gaming requirements for the issuance and or approval of a liquor license, shall be presented to the Board of County Commissioners for consideration.

Member C. Gonzales asked if the club would be open to the public. Mr. Larrañaga said it is for the community but anyone can shop at the store.

Member Dayton asked if there would be membership fees. Mr. Larrañaga stated he would defer to the applicant. He understood it was intended as a meeting place.

Duly sworn, Timothy Willms suggested a nominal of membership fee of perhaps \$25. The intent is to give the residents input.

Member J.J. Gonzales asked if alcohol would be sold and Mr. Willms said not at this point. He plans to promote local food economies. Currently there is no place for the residents of Galisteo to meet. The first phase will consist of the store, and there is a residence already on the premises.

Referring to the water situation, Mr. Willms indicated the residence will be on community water and the well will serve the store, since the system prohibits commercial users. He bought the property in October 2008 and met with the community to see what they needed. He raises lamb, rabbits and wild turkeys and the shop will sell those items.

There was no one from the public wishing to speak.

Member DeAnda asked if there were restrictions on the well, and Mr. Larrañaga indicated the store's water budget comes in below a quarter acre-foot; a restriction could be added to that effect.

Member Dayton moved to approve CDRC Case #DP 09-5231 with staff conditions and an additional condition restricting water use to .25 acre-feet per year. Member Martin seconded and the motion carried unanimously.

VIII. PETITIONS FROM THE FLOOR

None were presented.

IX. COMMUNICATIONS FROM THE COMMITTEE

Chairman Romero asked about the meeting to be held in Estancia about the SLDP. Mr. Kolkmeier said that will be held on Monday evening at the Stanley Community Center next to the fire station. He added the next SLDP hearing has been rescheduled for July 8th.

X. COMMUNICATIONS FROM THE ATTORNEY

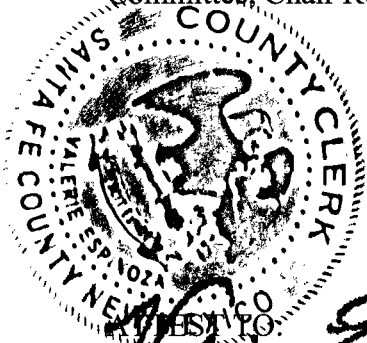
None were presented.

XI. COMMUNICATIONS FROM STAFF

None were presented.

XII. ADJOURNMENT

Having completed the agenda and with no further business to come before this Committee, Chair Romero declared this meeting adjourned at approximately 6:30 p.m.



Valerie Espinoza VT
COUNTY CLERK

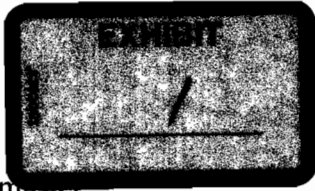
Approved by:

Jon Paul Romero
Jon Paul Romero, Chair
CDRC

SPC CLERK RECORDED 7/27/2010

Before me, this ____ day of _____, 2010.
My Commission Expires: _____
Notary Public

Submitted by:
Debbie Doyle
Debbie Doyle, Wordswork



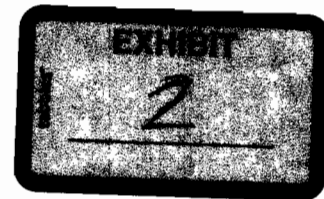
Code. The submittal omitted numerous items required to be submitted as part of a master plan which the Applicant had been advised on numerous occasions had to be submitted in order to meet the requirements of a master plan.

4. On April 16, 2010, Applicant was notified in writing it was in violation of the CDRC Order and that from that date forward outdoor entertainment and/or activity conducted on the site shall be considered a violation of the CDRC Order.

IT IS THEREFORE ORDERED that the extension for submittal of a Master Plan is granted subject to the following terms and conditions:

1. Prior to submitting a Master Plan for consideration by the County Development Review Committee and Board of County Commissioners, Applicant shall hold at least one public meeting within the community of Madrid to discuss the proposed Master Plan and to take comments from interested citizens. Legal notice of this community meeting shall be published in the local newspaper at least 15 days prior to the meeting date. The Land Use Administrator shall be given advance notice of the date(s) of the public meeting(s).
2. Subject to No. 5 below, Applicant's existing non-conforming uses at the Mine Shaft site, including outdoor entertainment and/or activity conducted on the site, shall cease and shall not be conducted until such time as the Applicant submits a comprehensive Master Plan in compliance with the Code submittal requirements.
3. Applicant shall submit a Master Plan for consideration by the County Development Review Committee and Board of County Commissioners on or before July 30, 2010. The Master Plan shall be set down for hearing thirty days

SEC CLERK RECORDED 7/27/2010



La Cienega Valley Association
PO Box 23554
Santa Fe, New Mexico 87502

La Cienega Valley Association: Preserving Our Rural Way of Life

June 17, 2010

Jack Kolkmeier, Land Use Administrator
Land Use Department
Santa Fe County
102 Grant Avenue
Santa Fe, New Mexico 87501

Re: Vallecita de Gracia Subdivision

Dear Mr. Kolkmeier,

The La Cienega Valley Association (LCVA) is aware that the JK2 (Jim Brown) Vallecita de Gracia subdivision, Agent Jim Siebert, was previously approved for additional lots in the subdivision once the bridge on Paseo de Angel was completed. The bridge condition was placed upon the developer by the La Cienega-La Cieneguilla Development Review Committee when they approved the subdivision.

The LCVA understands the conditional approval but we also are aware that the developer had planned a park as part of the approved development. In addition the LCVA feels that the developer has some responsibility for the cost of the bridge since he will benefit financially from its construction.

After careful consideration the LCVA respectfully requests that the following conditions be a part of any further development of the subdivision.

1. The developer meets the original conditions of approval that included a park for residents of the subdivision.
2. The developer pays a significant part of the cost of installing the bridge on Paseo de Angel to the Santa Fe County.
3. That any additional lots are approved with the La Cienega Watershed Conditions.

The LCVA understands Mr. Brown's rights for the development but we also understand he has a responsibility to Santa Fe County for the bridge, the residents of his subdivision for the park and our community for the protection of our traditional water sources.

SEE CLERK RECORDED 7/27/2010

Please let the LCVA know if you have any questions regarding this letter.

Thank you,



Carl Dickens, President
La Cienega Valley Association

cc: Santa Fe County Commission
Santa Fe County Development Review Committee
Robert Griego, Director, Planning Division
Shelley Cobau, Director, Development Review Division

REC'D CLERK RECORDED 07/27/2010



To:
Jack Kolkmeier
Santa Fe County Land Use Director

From:
Baird Banner & Busy McCarroll

Subject:
June 17th Public Hearing Santa Fe County Courthouse
Regarding - Cerrillos Mobile Home Variance request

10 pages including cover page

SECO CLERK RECORDED 07/27/2010

Included please find:

1. Letter of opposition to the requested variance.
Regarding the illegal mobile home at 43 Main Street, Cerrillos NM
Property owner; Cecelia Salmeron
2. Sheriff reports involving incidents with Salomon Salmeron which
occurred at the illegal trailer. Mr. Salmeron is a resident on the
property and relative of Cecelia Salmeron- *owner of the property
requesting the variance.*

SFC CLERK RECORDED 07/27/2016

Dear Jack Kolkmeier and the Santa Fe planning committee;
Regarding the illegal mobile home at 43 Main Street, Cerrillos NM
Property owner; Cecelia Salmeron

Dear Committee: We have lived in Cerrillos for over 30 years. We love and care about Cerrillos. We own two homes and a business here. We raised our now 26 year old daughter here. We maintain our property, abide by the laws and do our best to stay peaceful with our neighbors, it's not always an easy feat.

We are opposed to the illegal trailer located at 43 Main Street - on the corner of Main & 2nd St. A little over a year ago, this trailer just appeared in our village without a permit.

The property does not meet the required size to allow a second dwelling.

There is no legal septic system and/or water hook up that we're aware of.

There is always trash spread about the yard. The trailer residents were issued an order to remove trash last year - because of that order they finally removed the piles of trash with a truck. Many of the windows are broken. We hear fighting, yelling and babies crying for long periods of time without anyone attending to them. It is an eye sore and has become a gathering place for the village alcohol and drug abusers - this is done in the open and around children..

The population of the trailer is growing and it looks like many families live there off and on. At times we've seen more than 4 cars and more new children of all ages. The sheriff has been called out there numerous times to deal with their ongoing domestic problems.

We must all abide by the laws and obtain all required permits. Why are they being allowed to stay and ignore the laws?

This un-kept illegal trashy trailer is devaluing our property, jeopardizing the safety of our homes, interfering with our quality of life and we want it removed. The people who live in the trailer only seem to do any cleaning or yard maintenance when they have trouble with the county. They are violent, disruptive, noisy, trash accumulators, it appears they are unlawful and have a negative history with law enforcement

On Thursday night, May 26th, 2010, two ambulances and sheriff cars were called to the trailer on a domestic violence disturbance call. We saw many medics and officials walking around the property. Someone was taken out of the trailer on a stretcher and someone was arrested. There were children running around while all this was happening.

The New Mexican police report listed that Saloman Salmeron was arrested on this charge as well as other outstanding charges. Mr. Salmeron lives in a small trailer on the property and is a relative of Cecelia Salmeron. The sheriff report states that Mr. Salmeron threw a full bottle of beer at Cecelia King's head. Ms. King is his niece who lives in the illegal trailer. The report states that they were fighting about who would have to pull weeds. Ms. King was taken to the hospital. In the short time the trailer has been there, there have been approximately 3 ambulance and sheriff visits that we're aware of. This can be verified with the ambulance and county sheriff records. The report also lists these individuals as unemployed. Please read the police report included.

The property already has an existing home on it and a small approx. 20' travel trailer where Mr. Salmeron has permanently lived in for many years. The property does not meet the required acreage for another dwelling. And where is the sewage going?

We oppose this request for a variance and want this trailer to be taken away.

We also suggest that the companies who are hauling these illegal trailers in rural areas and setting them on properties without approved permits be held accountable and fined.

Thank you,
Baird Banner
Busy McCarroll Banner
P.O. Box 171, Cerrillos, NM 87010
{505} 471-0051

REC CLERK RECORDED 7/27/2010

Death notices

HELEN ORTIZ

Helen Ortiz passed away Friday. Visitation will be at 6 p.m. on Tuesday at McGee Memorial Chapel followed by a 7 p.m. rosary. A funeral Mass will be celebrated at St. Francis Cathedral at 9:30 a.m. Wednesday.

Services are under the direction of Bernardelli Family Funeral Service, 984-8600.

LORINE T. MEDINA

Lorine T. Medina, 70, of Santa Fe passed away Tuesday in Corpus Christi, Texas.

A rosary will be recited at 7 p.m. Thursday at Santa Fe Funeral Options chapel. A Mass of Christian burial will be celebrated at 10 a.m. Friday at the Cathedral Basilica of St. Francis of Assisi. Burial will follow at Memorial Gardens Cemetery in Santa Fe.

Santa Fe County polling places

- ◆ Precinct 1: Sombrillo Elementary School, 20 C.N.M. 106
- ◆ Precinct 2: Sombrillo Elementary School
- ◆ Precinct 3: Benny J. Chavez Center, 354 A Juan Medina Road
- ◆ Precinct 4: Cundiyo Fire Station, 5 Jose Simon Drive
- ◆ Precinct 5: El Rancho Community Center, 394 County Road 84
- ◆ Precinct 6: Tesuque Pueblo Intergenerational Center, 39 Church, 107 W. Barcelona
- ◆ Precinct 46: Unitarian Church
- ◆ Precinct 47: Acequia Madre Elementary School, 700 Acequia Madre
- ◆ Precinct 48: Atalaya Elementary School, 721 Camino Cabra
- ◆ Precinct 49: Kearny Elementary School, 901 Avenida de las Campanas
- ◆ Precinct 50: Nava Elementary School, 3885 St.

The Santa Fe Police Department is investigating the following reports:

- ◆ Emilio Pencheira, no age given, 1138 Vuelta de las Acequias, was arrested Friday on a District Court warrant charging failure to comply with electronic monitoring. No bond was issued and Pencheira was taken to the county jail.
- ◆ A resident of the 1800 block of Espinacas Street reported her 1994 Pontiac Grand Prix stolen from her residence Friday after she left the vehicle running. The vehicle was recovered at 1600 Pacheco Street.
- ◆ A resident reported her 2002 Lincoln Navigator was broken into Friday while it was parked at The Children's Museum, 1050 Old Pecos Trail. Her purse was stolen.
- ◆ A resident of the 500 block of Hillside Avenue reported two men broke into his black 2001 Ford truck and stole his MP3 player Friday. The suspects were last seen going north on Maez Road.
- ◆ Sean Delgado, age unknown, of 515 Valencia SE, was arrested Friday on charges of possession of a controlled substance and possession of drug paraphernalia after he was seen stumbling out of a coffee house and getting into a vehicle. He was booked into the Santa Fe County jail.

Police notes

◆ Jediah Huson, 32, 4677 W. Alameda Street, was arrested Friday on an outstanding Santa Fe Municipal Court warrant charging failure to comply with conditions of probation related to a charge of driving while intoxicated.

◆ Samuel Sauza, 22, 34 Polmood Farm Road, was arrested Saturday on charges alleging resisting, evading or obstructing an officer and battery after employees at the Albertson's on 600 N. Guadalupe St. reported he was fighting with another employee. Police arrived to find Sauza being held down by store employees.

The Santa Fe County Sheriff's Department is investigating the following report:

◆ Salomon Salmeron, 70, of Cerrillos was arrested on a charge of aggravated battery Thursday after he allegedly threw a can of beer that struck his niece in the head. Salmeron also had an active arrest warrant and was booked into the Santa Fe County jail.

DWI arrests

◆ Robert Gonzales, 50, of 6151 Airport Road, was arrested on Friday on charges

A 10 THE NEW MEXICAN Saturday, May 29, 2010

program for children up to age 12 begins Tuesday and continues through July 31. Under the "Make a Splash! Road!" pro-

ing museums across the country in a Blue Star Museum Program that runs from Memorial Day through Labor Day.

LOCAL NEWS
picked up on the regular Monday schedule.

The New Mexican

Police notes

The Santa Fe Police Department is investigating the following reports:

- ◆ A man was able to escape in his car Wednesday after being approached by several males in the 2200 block of Hopewell Street. One of the men reportedly threatened him a gun.
- ◆ A purse and a checkbook were stolen Wednesday from a residence in the 1100 block of Calle La Resolana while the victim was watching television.
- ◆ A would-be burglar fled a residence in the 100 block of Placita Circle on Thursday after he pushed out a window air conditioner, was confronted by the house sitter and then jumped back out the same window.
- ◆ A computer and a speech-generating device were stolen Thursday from a residence in the 2100 block of Calle Ensenada.
- ◆ John Virgil, age not given, of Rjo Rancho was arrested Thursday on a District Court warrant accusing him of undisclosed charges. Bond was set at \$10,000 cash.
- ◆ A handgun and a shotgun were stolen Thursday from a residence in the 2200 block of Vuelta San Marcos.
- ◆ Chris Sanchez, age not disclosed, of Santa Fe was recently

arrested on two counts of motor vehicle burglary.

◆ Someone entered an unlocked residence in the 1600 block of Cerro Gordo Road on Thursday and stole undisclosed property.

◆ Two flat-screen TVs and two DVD players were stolen Thursday from a residence in the 300 block of Houghton Street. Entry was made through an open window.

◆ A compressor and a circular saw were stolen Thursday from the back of a 1994 Silverado.

◆ A handgun, rifle, TV set and other electronics items were stolen Thursday from a residence in the 4000 block of Paseo del Sur.

The Santa Fe County Sheriff's Department is investigating the following reports:

- ◆ Salomon Salmeron, 70, of Cerrillos was arrested Thursday on charges of throwing a can of beer at his niece, which hit her in the head. Salmeron also was held on a warrant for allegedly failing to pay fines on undisclosed charges.
- ◆ Property valued at about \$3,000 was stolen Thursday from a residence on Arroyo Ridge Road. A neighbor noticed evidence of a burglary with

someone still inside the home. The suspect fled.

◆ A residence on West Chili Line Road in Rancho Viejo was burglarized recently. It was not known if anything was stolen.

◆ Deputies were investigating a death at a residence on Nursery Road in Nambé. There were no signs of foul play.

◆ Orlando Torrez, 24, of Ranchos de Taos was charged Thursday with possession of a controlled substance and bringing contraband to a place of imprisonment after a strip search at the Santa Fe County jail, where he is being held on undisclosed felony charges. He had been transported Wednesday from the Taos County jail.

◆ A 73-year-old man collapsed and died after playing tennis for 90 minutes at the Eldorado Community Center.

◆ Deputies are investigating a report that a woman's bank information was fraudulently used to make 49 purchases throughout the United States. The value of the purchases had not been determined.

◆ A ground tamper was stolen between Wednesday and early Saturday from a utility trailer at EcoScapes Landscaping at Agua Fria Road and Camino Juliana.

◆ A stereo faceplate was

stolen Thursday from a vehicle parked on Village Way in the Fairway Village neighborhood.

DWI arrests

◆ Santa Fe police arrested David Flores-Garcia, age not disclosed, of Santa Fe on Thursday on charges of driving under the influence, a suspended license and reckless driving after an unattended vehicle was hit in the 1800 block of Espinacitas Street. The suspect fled but was soon captured in a nearby apartment.

Help lines

Esperanza Shelter for Battered Families hot line: 800-473-5220

Interfaith Community Shelter for homeless men, women and children: 603-6600

St. Elizabeth Shelter for men, women and children: 982-6611

New Mexico suicide prevention hot line: 866-435-7166

Santa Fe Rape Crisis and Trauma Center: 986-9111, 800-721-7273 or TTY 471-1624

Police and fire emergency: 911
Graffiti hot line: 955-CALL (2255)

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C-2 THE NEW MEXICAN Sunday, May 30, 2010

LOCAL & REGION

Death notices

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DWI arrests

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5 2010

Case Number : 2-10-004339 Occur From Date: 5/27/10 20:45
Occur To Date : 5/27/10 20:52 Day Of Week : THURSDAY
Area : DISTRICT II AREA 7 Team : B TEAM
Street Number : CERRILLOS NEW MEXICP, 12 2ND STREET
City : CERRILLOS, NM 87010
Map Reference : SOSW002 County : SANTA FE
Dept Class : ASSAULT/BATTERY (AGGRAVATED)
Location Type : RESIDENCE Alcohol Related: YES
Drug Related? : NO Case Status : CLEARED BY ARREST
Case Status Dt : 5/27/10 Report Officer : ROMERO, DONALD
Report Date : 5/27/10 20:52 Entry Employee : ROMERO, DONALD 5/27/10
Verif. Employee: CHAVEZ, DANIEL 0/00/00
Supervisory Dt.: 5/28/10

***** ADDITIONAL TIMES *****
Case Number : 2-10-004339 Date Dispatched: 5/27/10 20:53
Date Arrived : 5/27/10 21:11 Date Cleared : 5/28/10 0:01

***** OFFENSE REPORT # 1 *****
Case Number : 2-10-004339
JCR CODE : ASSAULT - OTHER DANGEROUS WRAPON
Attempt/Committ : COMMITTED Statute/Ordin : 30-3-5(B)
Weapon Type : OTHER How/Where Entry: N/A
Forced Entry : N/A Premises Enter : 1
Structure Occup: OCCUPIED Evid Collected : YES
Crim Activity : NOT APPLICABLE Hate Crime : ASSAULT
Computer Theft : N/A UCR Disposition: CLOSED INACTIVE
Dispo Date : 5/27/10

***** PROPERTY INFORMATION # 1 *****
Case number : 2-10-004339 Category : EVIDENCE
JCR Prop Type : MISCELLANEOUS Property type : PHOTOGRAPHS
Make : NIKON Quantity/weight: 1
Description : COMPACT DISC Serial number : N/A

***** VICTIM INFORMATION - # 1 *****
Case Number : 2-10-004339 Prompt valid in: KING, CECILIA
Social Security: [REDACTED] Birth Date : [REDACTED]
Sex : FEMALE Race : WHITE
Ethnic Origin : NON-HISPANIC
Street Number : 12 2ND STREET Height : 500
Home Phone No. : 505/424-3271
Weight : 140
City : CERRILLOS, NM 87010
Map Reference : SOSW002 Occupation : UNEMPLOYED
PL No. : 035493336 NM Juvenile : ADULT
Hair Color : BROWN Hair Length : SHOULDER LENGTH
Hair Style : PARTED IN THE CENTER Eye Color : BROWN
Glasses : NO Complexion : LIGHT
Facial Hair : NONE Build : MEDIUM
Citizenship : UNKNOWN Residency Type : USA
Residency Sts : RESIDENT Religion : UNKNOWN
Marital Status : SINGLE Victim Type : ADULTS
File Charges : YES Can Identify : YES

SFC CLERK RECORDED 07/27/2010

Date: 6/01/10
Time: 8:18:54

SANTA FE COUNTY SHERIFFS DEPARTMENT
Offense Report

Page: 2
Program: CMS301L

2-10-004339 (Continued)

Victim Sobriety: SOBER Injury Extent : MINOR
Injury Type 1 : APPARENT MINOR INJURY Med Treatment : EMERGENCY ROOM
Hospital ID : ST. VINCENT'S HOSPITAL Phys Last Name : ROSEN
Phys First Name: DAVE

***** O T H E R P E R S O N

I N F O R M A T I O N - # 1 *****

Case Number : 2-10-004339
Last Name : SALMERON, SALOMON
Birth Date : ██████████
Race : WHITE
Street Number : 12 2ND STREET
Height : 506
City : CERRILLOS, NM 87010
County : SANTA FE
Occupation : UNEMPLOYED
Juvenile : ADULT
Hair Length : MEDIUM (UP TO 2")
Eye Color : BROWN
Complexion : DARK
Build : SLIM
Residency Type : USA
Religion : UNKNOWN
Arrest Case No.: 2-10-004339

Person Type : ARRESTED
Social Security: ██████████
Sex : MALE
Ethnic Origin : HISPANIC
Weight : 150
Map Reference : SOSW002
DL No. : 082563881 NM
Hair Color : GRAY
Hair Style : PARTED IN THE CENTER
Glasses : NO
Facial Hair : NONE
Citizenship : UNITED STATES
Residency Sts : RESIDENT
Marital Status : SINGLE

***** N A R R A T I V E # 1 *****

CAD Information Reported By: ROMERO, DONALD 5/27/10

Call#: 101470659 Beat: SO AREA 2
Units.: 18 Employees: 0000006863 CHAVEZ, DANIEL
Units.: 29 Employees: 0000006924 YORK, JULIE
Units.: 34 Employees: 0000007047 ROMERO, DONALD

***** N A R R A T I V E # 2 *****

*** SUPPLEMENT DETAILS ***

Entry Emp/Date/Time. : YORK, JULIE 5/27/10
Report Emp/Dte/Time. : YORK, JULIE 5/27/10 22:11

SUPPLEMENTAL Reported By: YORK, JULIE 5/27/10
Entered By.: YORK, JULIE 5/27/10

On 5-27-10, I was dispatched to 12 Second Street in Cerrillos New Mexico with Deputy Donald Romero reference to a domestic dispute.

Upon my arrival, I assisted Deputy Romero in escorting an intoxicated belligerent male to his unit. I then proceeded to number 12 to speak with the other involved person. I made contact with a female who was identified as Cecelia King. Cecelia had a large bump on the left side of her forehead. She advised me that she was feeling dizzy and had pain going down her neck and back. I called for an ambulance to come and check her injuries.

REC'D CLERK RECORDED 5/27/2010

Date: 6/01/10
Time: 8:18:54

SANTA FE COUNTY SHERIFFS DEPARTMENT
Offense Report

Page: 3
Program: CMS301L

2-10-004339 (Continued)

While waiting for the ambulance, I asked her what had happened. She advised me that she had asked her oldest daughter Sharmaine to cut the weeds outside of the house. She said that Sharmaine did not want to do it so she went over to her uncles house and told him to do the job. Cecelia said that her uncle Solomon came over to her house angry and started to yell at her then threw several full beer cans at her. She said that one of the cans struck her in the forehead. She said that he left shortly after she called police to his residence.

I asked her if she wanted to write out a statement and she refused stating that her uncle would go back to prison as he already has three strikes.

I then took photographs of her injuries and turned them over to Deputy Romero to turn into evidence.

No further action was taken.

***** N A R R A T I V E # 3 *****
ORIGINAL Reported By: ROMERO, DONALD 5/27/10
Entered By.: ROMERO, DONALD 5/27/10

On May 27th, 2010 at approximately 8:53 p.m., I was dispatched to #12 2nd Street in Cerrillos, New Mexico, in reference to a battery. Upon my arrival I made contact with the victim/complainant Cecilia King who stated she was involved in a physical altercation with her uncle Salomon Salmeron.

While speaking with Cecilia, she stated Salomon walked into her residence from his, and threw a full can of beer at her. The can struck Cecilia on the forehead causing a large lump to the left side forehead and hairline. Cecilia said Salomon became upset with her because her daughter (unknown name) walked to his residence which is located on the same property. The daughter then told Salomon that Cecilia was arguing with her and making her pull weeds. Salomon proceeded to Cecilia's house where he entered and they both began to argue. While she stood near the kitchen sink and Salomon stood between the kitchen and living room area, the argument became heated. Salomon threw the full can of Tecate beer at Cecilia, which he held in his hand and struck Cecilia on the above mentioned area causing the injury.

Cecilia was asked to give a voluntary statement. During this time she became uncooperative and stated she did not want to press charges or give a statement on the incident. Photographs were taken of her injury and they were submitted into evidence.

I later spoke with Salomon and he appeared intoxicated. He was asked what had occurred during the incident and refused to give a statement. Salomon repeatedly told me to "fuck off" and I had no right to be on his property. I was able to get little information on Salomon and he was checked through N.C.I.C. for outstanding warrants. I learned that

2010 JUN 07 10:06:14

Date: 6/01/10
Time: 8:18:54

SANTA FE COUNTY SHERIFFS DEPARTMENT
Offense Report

Page: 4
Program: CMS301L

2-10-004339 (Continued)

he did have an outstanding warrant out of New Mexico State Police District 1 (Santa Fe Magistrate Court Warrant # M-49-DR-200800147).

Santa Fe County Fire Medic #60 was sent to my location. Paramedics met with Cecilia and after treating her, they determined that she should be transported to St. Vincent's Hospital due to the nature of her injury. I met with the emergency room doctor, Dr. Dave Rosen. He advised Cecilia's injury was minor and she would soon be released.

After learning what had occurred during the incident Salomon was placed under arrest. He was then transported to the Santa Fe County Adult Detention Center where he was served with the warrant and all proper paperwork. He was booked into the Detention Center accordingly and without incident.

* * * * * END OF REPORT * * * * *

REC'D CLERK RECORDED 6/27/2010

Date: 6/01/10
Time: 8:23:05

SANTA FE COUNTY SHERIFFS DEPARTMENT
Arrest Report

Page: 1
Program: CMS302L

Case Number . . . : 2-10-004339-001 Name : SALMERON, SALOMON
Address : 12 2ND STREET
City/State/Zip . . : CERRILLOS, NM 87010
Occupation : UNEMPLOYED Birth Date/Age : ██████████
Residency Stats: RESIDENT Soc Sec Number : ██████████
Oper Lic Info . . . : 082563881 NM OL Expires . . . : 3/31/07
Adult/Juvenile : ADULT Race : WHITE
Sex : MALE Ethnic Origin . . : HISPANIC
Height : 506 Weight : 150
Hair Color : GRAY Hair Length . . . : MEDIUM (UP TO 2")
Eye Color : BROWN Glasses : NO
Complexion : DARK Facial Hair . . . : NONE
Build : SLIM Arrest Case No.: 2-10-004339

***** A R R E S T I N F O R M A T I O N *****

Case Number . . . : 2-10-004339 Arrest Agency : SHERIFF DEPARTMENT
Arrest Date/Time: 5/27/10 20:52 Day of Week . . : THURSDAY
Beat Assignment: DISTRICT II AREA 7 Arrest Type . . : MISDEMEANOR ARREST
Arresting Ofcr : ROMERO, DONALD Entry Empl/Date: VIGIL, MYCOLE 6/01/10

LOCATION INFORMATION

Case number . . . : 2-10-004339
***** C H A R G E I N F O R M A T I O N # 1 *****
Case Number . . . : 2-10-004339 Federal Classif: AGGRAVATED ASSAULT
Statute/Ordnce : 30-3-4(B)
Federal Dispo : CLEARED BY ARREST - ADULT
Bond Type : CASH/SURETY Bond Amount . . : 5,000.00

* * * * * E N D O F R E P O R T * * * * *

REC'D CLERK RECORDED 5/27/2010

John M. Salazar

From: Jack Kolkmeier
Sent: Tuesday, June 15, 2010 8:54 AM
To: John M. Salazar
Subject: FW: Another letter opposing the variance

Another letter

From: Busy McCarroll [mailto:saybusy@cybermesa.com]
Sent: Tuesday, June 15, 2010 9:00 AM
To: Jack Kolkmeier
Subject: Another letter opposing the variance

Hi Jack,
One of my neighbors sent me the following email regarding the illegal trailer request for variance. Her email kept bouncing back to you.
Thanks,
Busy

----- Original Message -----

From: Eugenia Parry <mailto:eparry@newmexico.com>
To: J.kolkmey@co.santa-fe.nm.us
Sent: Saturday, June 12, 2010 10:56 AM
Subject: Variance, Cerrillos

Dear Jack,

I am a resident of Cerrillos at 9 First Street. As a writer, I work at home. I am here a lot and see a lot.

I oppose the variance requested by the owners of the illegal trailer (s) on Main Street.

We cannot tell people how to live. Yet if there is abuse of property, children, or animals, we have the right to report it. At the same time, there is tremendous resistance to change in places like Cerrillos. The situation is very delicate.

Many residents of the village simply want to be left alone. They deeply resent actions of those who would try and "improve" the place. They have lived here for generations and abhor any actions by newcomers, especially those who might begin citing THE LAW. "We live here because we can do what we want," one long-time resident told me. Anger is palpable. If these citizens are pushed, they will turn to violence. Lawlessness, a Western tradition, is alive and well in Cerrillos.

Around Mary's Bar, (corner of Main and First Streets), there is a lot of alcoholism, drug use, and vagrancy. The unhappiness of the people who hang out there is toxic. They lack jobs and transportation. They have nowhere else to go. The degeneration would have been unthinkable to their ancestors, the previous generations of people who lived, worked, and raised their families in Cerrillos.

At the same time, many tourists come to town to visit an "authentic New Mexican Village." They hike in the State Park, go horseback riding at Broken Saddle, visit the Antique Shop on First Street. When they look for refreshment, there's only Mary's Bar. It's not the bar, itself, that repels. It's the degenerate atmosphere around

STC CLERK RECORDED 7/27/2010

it, this includes the property abuses on Main Street.
The visitors feel uncomfortable and quickly leave.

I love this village. I want to protect it during this period of confusion. It is a period of transition. With the State Park in full swing, the best is yet to come.

I FAVOR ANY ACTION THAT RESPECTS AND ADHERES TO THE LAWS ON THE BOOKS.

Sincerely,
Eugenia (Nia) Parry
eparry@newmexico.com

SEC CLERK RECORDED 07/27/2018

Yolanda M. Sandoval
7 2nd Street
P.O. Box 68
Cerrillos, NM 87010

June 16, 2010

John M. Salazar
102 Grant Avenue
Santa Fe, NM 87501

Re: CDRC Case # V 10-5130 Cecilia Salmeron Variance

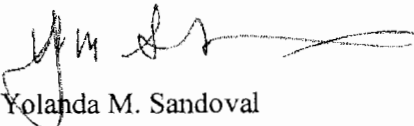
Dear Mr. Salazar:

I am writing this letter in support of the above referenced variance. My home is on the opposite corner of the Salmeron property and I have know the family for several years. The reasons I give for supporting this variance are:

- 1) At various times over the last thirty plus years, there has been a mobile home on that lot. When I was younger, Cecilia's daughter Lisa had a home there and then later her granddaughter C C had a mobile home there. In fact, my sister Viola stayed in one of the homes for a short time in the early 80's.
- 2) During the community planning process minimum lot size for the traditional village was discussed and a consensus was reached that a minimum lot size of 50' x 100' (2 railroad lots) would be acceptable. I believe this was included in the original plan approved by the CDRC and later the BCC. When the ordinance was later amended, I was told by Robert Griego that the County did not recognize lots that small so they inserted the term "Legal Lot of Record."
- 3) During El Vadito Water Association Rules and Regulation Committee meetings we discussed the minimum lot requirement change that was made by the County but did not include a set size in the final version.
- 4) I think the opposition to this variance is more to the fact that it is a mobile home and the situation in the home. When we went through the planning process, there was several negative comments regarding mobile homes. We were told by the Planner, Alina Bokde, that we could not prohibit any type of housing. As far as the home situation, we as a community need to try helping the situation instead of attacking the innocent people involved.

I appreciate the Committee's consideration of my comments. Unfortunately I have another meeting the night of June 17th and will not be able to attend the CDRC meeting.

Sincerely,



Yolanda M. Sandoval

John M. Salazar

From: Jack Kolkmeier
Sent: Wednesday, June 16, 2010 8:34 AM
To: John M. Salazar
Subject: FW: Public hearing / illegal mobile home

From: Busy McCarroll [mailto:saybusy@cybermesa.com]
Sent: Tuesday, June 15, 2010 10:32 PM
To: Jack Kolkmeier
Subject: FW: Public hearing / illegal mobile home

Hi Jack,
My neighbor sent me his opposition to the illegal trailer, below.

----- Forwarded Message

From: <rscedeno@aol.com>
Date: Tue, 15 Jun 2010 21:52:08 -0400
To: Busy McCarroll <saybusy@cybermesa.com>, <jkolkmey@co.santa-fe.nm>
Subject: Re: Public hearing / illegal mobile home

I oppose the illegally parked mobile home

Ruben

On 6/15/10 10:51 AM, "rscedeno@aol.com" <rscedeno@aol.com> wrote:

Ok when I get access to my e mail. I'm in a remote location in Utah.

Sent on the Sprint® Now Network from my BlackBerry®

From: Busy McCarroll <saybusy@cybermesa.com>
Date: Tue, 15 Jun 2010 10:58:49 -0600
To: <rscedeno@aol.com>
Subject: Re: Public hearing / illegal mobile home
I Cc'd your email to Jack Kolkmeier.
But it might help if you sent it from your address.

Thanks, Busy

On 6/15/10 10:22 AM, "rscedeno@aol.com" <rscedeno@aol.com> wrote:

570 015PM RECORDED 7/27/2010

No i just responded to your e mail

Sent on the Sprint® Now Network from my BlackBerry®

From: Busy McCarroll <saybusy@cybermesa.com>

Date: Tue, 15 Jun 2010 10:19:49 -0600

To: <rscedeno@aol.com>

Cc: Jack Kolkmeier <jkolkmey@co.santa-fe.nm.us>

Subject: Re: Public hearing / illegal mobile home

Hi,

Did you email this to Jack Kolkymeyer? Here's his address.

jkolkmey@co.santa-fe.nm.us

Thanks

On 6/15/10 9:03 AM, "rscedeno@aol.com" <rscedeno@aol.com> wrote:

I oppose the trailer being illegally parked

Sent on the Sprint® Now Network from my BlackBerry®

From: Busy McCarroll <saybusy@cybermesa.com>

Date: Tue, 15 Jun 2010 08:53:26 -0600

To: Rebecca Walding <studio50@swcp.com>; Jack Kolkmeier <jkolkmey@co.santa-fe.nm.us>

Cc: Patricia Waldygo <ursakita@swcp.com>; Brownp52@Yahoo.Com <brownp52@yahoo.com>; JoAnna

Conte <creationvibration@gmail.com>; Todd@Tuffdogstudio.Com <todd@tuffdogstudio.com>; Cathy

Weber <cathyweber@earthlink.net>; Ross & Annie <murlock@raintreecounty.com>; Gretel

Wanemacher <gretelart@gmail.com>; Erika Merklein <elmerklein@netzero.com>; Harrold

Grantham <info@brokensaddle.com>; ALLEN FOWLER <aliennaaf@yahoo.com>; Ren Greene <rengreene@earthlink.net>;

Lori Musil <lorimusilnm@aol.com>; Nia Parry <eparry@newmexico.com>; Patrick Mohn <pdmohn@netzero.com>; Cari

Griffo <Carigriffo@yahoo.com>; carol O'Keefe <carollokeefe@hotmail.com>; Rueben Cedeno <Rscedeno@aol.com>;

Leslie Thompson <leslie.art@gmail.com>; John Torres Nez & Cassandra Reed <itorresnez@swaia.org>; Sarah

Wood <sarah.wood@state.nm.us>; Bill Baxter <wbaxter@cnsf.com>; George Bullfrog <blfrog@concentric.net>; Thomas

Morin <tmorin1001@sisna.com>; Anthony Umi <soulnotes@ksfr.org>; Lahly Poore-Ericson <lahlypoore@earthlink.net>;

Podin8r@Earthlink.Net <podin8r@earthlink.net>; Phyllis Schwartz <psyogalife@wildblue.net>; Michael

Schwartz <michael@michaelshealth.com>

Subject: Re: Public hearing / illegal mobile home

Hello neighbors,

We've heard that some of your email letters regarding the requested variance on the illegal trailer on Main St. bounced back undeliverable.

Here's the correct email address for Jack Kolkmeier of Santa Fe county land use

jkolkmey@co.santa-fe.nm.us

The illegal trailer seems to have two addresses in Cerrillos;

1. 12 2nd St.
2. 43 Main street

REC'D CLERK RECORDED 6/15/10 10:19 AM

The deadline for the county to receive all letters/emails either opposing or supporting the trailer is this coming **Wednesday June 16th.**

The hearing is **June 17th @ 4:00pm at the County Courthouse in Santa Fe.**

In the one year since the trailer was illegally parked on that property, the police and ambulance have been called approximately 3-4 times on domestic disturbance calls. We know because it's right across from us and we hear the ambulance and see the lights.

We don't oppose all trailers and don't like to get in peoples private business, but this trailer has ignored all the required codes and laws, is an eyesore in our town with trash & broken windows, became a hangout for the town drunks, and has been a constant disruption of peace inside our community....and there's lots of children there with all this. Something like this affects does us all and we feel that we have an obligation to do what we can to have it removed.

Thank you

On 6/11/10 7:08 PM, "Rebecca Walding" <studio50@swcp.com> wrote:

Hi all,

I have no idea how anyone feels about this, but I wanted to remind everyone that this deadline is next week. I am certain that most of us would want to help those in need, but it seems like this situation has become a problem and certainly an eyesore for the village. It cannot be good for the businesses in town and it is depressing for anyone driving down Main Street. There is also a small trailer in between the house and the big trailer, where someone is/was living. It seems that no one is taking care of the property (except Todd & Patty), they have chained the puppy in the yard (NOTE: not since it's been real hot though) and it most certainly is a hangout for folks that also hang out at the bar. I worry that there are babies and kids there mixed in with all the other stuff. Frankly, I do not have a clue as to how many people are actually living there... 7 or 8 people (counting three kids) is my guess. That's a lot of people. Anyway, I am open to thoughts & comments (constructive, please), but I also wanted to ask everyone to think about what you want from your neighborhood.

Becky

Hello neighbors,

There will be a public hearing on June 17th 4:00pm at the County Courthouse in Santa Fe regarding the illegal mobile home 43 Main Street - on the corner of Main & 2nd St.

The people living in the mobile home are requesting a variance to override the court order that they received to remove the mobile home.

REC CLERK RECORDED 7/27/2010 10:18:18

There is not enough land to legally permit the mobile home.

There is no septic system or legal water usage for the mobile home.

The variance request will go before the planning commission committee.

The case manager is John Michael Salazar (505) 986-6229

Notice of the hearing will be announced in The New Mexican newspaper on May 27th.

We ask you to please either attend the public hearing or submit your opposition to the variance in writing and email it to Jack Kolkmeier SF County Land Use Dept.

jkolkmey@co.santa-fe.nm.us <x-msg://35/jkolkmey@co.santa-fe.nm.us>

The following is an Email from Jack Kolkmeier:

If you or any of your neighbors want to send anything to be read and added into the packet for that hearing, you can send it to me at this address. As you know, we do not support variances of this type, so it is very important for people to voice their concerns.

Usually, in these cases, the CDRC can be swayed by the numbers of people in opposition.

jk

SFC CLERK RECORDED 5/27/2019

Busy McCarroll
P.O. Box 171
Cerrillos, NM 87010
(505) 471-0051
930-0397 cell
www.myspace.com/busymccarroll <<http://www.myspace.com/busymccarroll>>
<http://www.cdbaby.com/cd/busy2>

Busy McCarroll
P.O. Box 171
Cerrillos, NM 87010
(505) 471-0051
930-0397 cell
www.myspace.com/busymccarroll <<http://www.myspace.com/busymccarroll>>
<http://www.cdbaby.com/cd/busy2>

Busy McCarroll
P.O. Box 171
Cerrillos, NM 87010
(505) 471-0051
930-0397 cell
www.myspace.com/busymccarroll <<http://www.myspace.com/busymccarroll>>
<http://www.cdbaby.com/cd/busy2>

----- End of Forwarded Message

SEC CLERK RECORDED 07/27/2010

John M. Salazar

From: Jack Kolkmeier
Sent: Wednesday, June 16, 2010 8:34 AM
To: John M. Salazar
Subject: FW: Against variance for trailer at 2nd and Main Streets, Cerrillos

-----Original Message-----

From: Rebecca Walding [mailto:studio50@swcp.com]
Sent: Tuesday, June 15, 2010 9:55 PM
To: Jack Kolkmeier
Subject: Against variance for trailer at 2nd and Main Streets, Cerrillos

Becky & Clark Walding
50 Main Street
Cerrillos, NM 87010

June 15, 2010

Mr Kolkmeier,

This is in regards to the illegal trailer at the corner of 2nd and Main Streets (12 2nd Street / 43 Main Street).

We are sympathetic with our neighbors applying for the variance, but we are strongly opposed to it. When we moved to Cerrillos 17 years ago we were required to learn the laws and abide by them when we built our studio. Our neighbors made sure we adhered to all of them. There is a reason for the laws on land use and we believe they should be upheld.

We are opposed to a variance for the property at 12 2nd Street / 43 Main Street.

Thank you,
Becky & Clark Walding

REC CLERK RECORDED 7/27/2010

John M. Salazar

From: Jack Kolkmeier
Sent: Wednesday, June 16, 2010 8:34 AM
To: John M. Salazar
Subject: FW: oppose the illegally parked mobile home

From: rscedeno@aol.com [mailto:rscedeno@aol.com]
Sent: Tuesday, June 15, 2010 7:57 PM
To: Jack Kolkmeier; Jack Kolkmeier
Subject: oppose the illegally parked mobile home

I oppose the illegally parked mobile home

Ruben

SEE CLEAR RECORDED 07/27/2010