

CHAIRMAN SULLIVAN: Okay. All right. Thank you. Any other questions for the applicant? All right, this is a public hearing.

MR. SOMMER: I just had one brief thing to add as part of our presentation, if I may.

CHAIRMAN SULLIVAN: Go ahead.

MR. SOMMER: Thank you very much. Members of the Commission, we're here tonight because this Board and this community has undertaken various steps which guide this kind of application to this point. Let me be specific. As you all are aware, the Agua Fria Village became a traditional village under the statute so they could avoid annexation by the City, so that the City couldn't just swallow them up from a zoning standpoint and they would have no control or very little representation in how their future would look. The Traditional Village Statute protected that. They took advantage of that; it was adopted, and it was adopted by the Commission.

The effect of that was to make the County Code effective in this area. That wasn't the end of the story for this Commission. This Commission did the very next step which is to say this community should plan itself and thereby come up with a development master plan for this community, and then provide an ordinance that this Commission would consider and talk about and eventually adopt. That's what's happened here. This community took control of its destiny with the help of this Commission. It protected itself from annexation by the City. It planned and zoned its property so that it would control how it works.

The Agua Fria Development Review Committee looked at this plan for compliance and said unanimously it complies with what we've said we want. This staff has looked at it and said for a long time now it has complied and it does comply. The other components of this plan, which are affordable housing, have been complied with and met to the letter of the law. We do not see this as a problem for administration. This Board approved the Turquoise Trail Subdivision. It has two affordable housing components which are complied with - one of the City's and one of the County's. And in that subdivision the County provides neither water nor sewer but it does the zoning. The water and sewer are provided by the City. So it's now something out of the ordinary. It hasn't produced a nightmare of administration. And it's viable in this circumstance because you'll have two separate agreements which are administered pretty clearly under the regulations.

I'd just like to say this because much has been said out in the hallways, discussion around this, that the community needed to be heard on this. Well, this applicant has gone to the community. This community has spoken and it's spoken loudly, one in controlling the village, the second in adopting an ordinance and bringing an ordinance after much work to this Commission, which was adopted. This property, Mr. Tavelli and his brother, whose family has been in this community, a part of this community for five generations, are complying with what the community has said.

Now, did they go to the Agua Fria Water Association? They did. It simply is not a viable option for water. The only other opportunity is to provide City water and City

sewer, which environmentally makes sense. You want City water and City sewer if it can't be otherwise provided. You do not want groundwater. You do not want septic tanks. You do not want the perpetuation of what I think this Commission has recognized as environmentally unsound development.

The other thing that is important about this plan is it reflects much of this Commission's policies, which are mixed-use developments. That residential development shouldn't be this homogenous type of development where people have to leave to work. There have to be employment opportunities in order for a community to be viable. This plan reflects, the zoning reflects, and this application reflects that opportunity. With that, I'd like to urge this Commission to approve this master plan. It has a long way to go in terms of development plans and subdivision and the like before we're there. This is really a first step. Thank you.

CHAIRMAN SULLIVAN: Okay. Now we'll go to the public hearing. Are there any persons in the audience who would like to come forward and speak, either in favor or in opposition? Come forward, sir.

[Duly sworn, Lee Romero testified as follows:]

LEE ROMERO: My name is Lee Romero, also known as Elisardo M. Romero. Just two points of clarification so that we are all on the same board here. When Mr. Siebert announced his non-conforming businesses, I felt a little hurt; he left me out. He mentioned the trailer court across the street. He mentioned Mr. Montano, and then he said a non-conforming business to the east of me. That's me. L & L Portable Toilets. I want that on the record. Also L & L Waste Services. That's just a clarification.

Secondly, in 1978 or '79, I was the president of the Agua Fria Water Association. When PNM was planning the trunk line to be able to loop their system, we held a meeting with the Agua Fria Water Association and I believe some of the County staff was there at the time and representatives from PNM. There again PNM tried to convince us that they were real good to us, that they were going to give us five free fire protection hydrants, when all the time in the construction industry, and they were going to put their line, it's by law that they have to put fire protection every so-many feet. So they weren't really giving us anything.

Secondly, we signed a pact saying that PNM would not connect nobody in the village, because that was just a trunk line that they were doing for revamping their [inaudible] I don't know if the Agua Fria Community Water System has been approached for those minutes, because PNM sold to the City. I don't know if the contract stands, if it holds any water right now, but I thought I'd get up here and clarify those things because we've lived there all my life and I'm very proud of my business and we don't have to go around denying who's next to me. It's L & L Portable Toilets. Thank you.

CHAIRMAN SULLIVAN: Thank you, Mr. Romero. Next speaker please.

[Duly sworn, Justin Young testified as follows:]

JUSTIN YOUNG: My name is Justin Young and I live and operate my business at 3957 Agua Fria. I live right next to the property in question and my property is

the other non-conforming commercial use that's next to this property. I've been in support of the applicant to subdivide his property and to develop it in residential uses and I think that he should work within the Agua Fria Community Water System for getting his water needs. I understand that they had given him 15 residential hookups and they were unable to give him commercial hookups, and that's why he went to the City and obtained those commercial hookups.

But I oppose him going to the City for the water and I oppose commercial development that's for speculation that doesn't have actual users that we can talk to and see what kind of businesses that they're going to run. That's it.

CHAIRMAN SULLIVAN: All right. Thank you, Mr. Young. With regard to Mr. Young's question. Shelley, there is a list of uses that are permitted under this master plan zoning, is that correct?

MS. COBAU: Mr. Chair, members of the Commission, this type of mixed-use development is specifically permitted under the Agua Fria ordinance. The applicant has stated that these would be gallery type uses in these studios and - I don't know. Maybe John Michael, you can answer this. Is there a specific use list on their master plan?

CHAIRMAN SULLIVAN: I think there probably is. John Michael, can you give us just a few examples of what can be located in those commercial units?

COMMISSIONER VIGIL: I think the planner, Robert Griego is here. He might even be able to articulate them without even referencing them because I know he had the opportunity to discuss this with the community quite a bit.

CHAIRMAN SULLIVAN: Mr. Griego.

ROBERT GRIEGO (Planner): Mr. Chair, Commissioners, in regard to the Agua Fria Zoning District Ordinance, there's a use table there that identifies uses. They're either allowed, permitted, conditional or special uses for non-residential and residential uses. So each use should have to come either to the Agua Fria Development Review Committee or to the Board for approval.

CHAIRMAN SULLIVAN: What are some examples of the permitted uses?

MR. GRIEGO: A permitted use would be a - a conditional use, meaning it would need to get approval by the Agua Fria Development Review Committee would be an art gallery. An appliance repairs place would need a special use. That would mean the Board would need to approve them. Convenience store is a special use. Exercise or dance studio is a conditional use that the use table identified.

CHAIRMAN SULLIVAN: Conditional means that just the committee approves it. Special means the Board of County Commissioners approves it.

MR. GRIEGO: That's correct.

CHAIRMAN SULLIVAN: What about any examples of ones that wouldn't require either approval, that run with the land?

MR. GRIEGO: Permitted uses would be - administrative approvals would be agricultural uses, agriculture, grazing, residential uses. That's it.

CHAIRMAN SULLIVAN: Okay, so what you're saying is that anything

other than a residential or agricultural use would have to go before the community, through the Agua Fria Development Review Committee, and if it's a special use it would then come to the Board of County Commissioners.

MR. GRIEGO: That's correct, Mr. Chair.

CHAIRMAN SULLIVAN: All right. That helps clarify that for me. John Michael, did you have anything to add?

MR. SALAZAR: Mr. Chair, I have the list of uses that they're proposing. One is practitioners of healing arts, massage and physical therapy, artists, limited to those uses compatible with a residential setting, professional offices such as attorneys, consultants insurance agents and other small-scale commercial uses that do not create substantial volumes of traffic and are consistent with the residential environment of the project.

CHAIRMAN SULLIVAN: Okay, but we're not - this approval if the Board approves this master plan doesn't limit it to those uses, right?

MR. SALAZAR: Right.

CHAIRMAN SULLIVAN: So they can - I want to make that clear. That's what they're kind of dreaming might happen, but in point of fact, it could be an Allsup, and if so, it would have to go both to the Agua Fria Review Committee and also to the Board of County Commissioners.

MR. SALAZAR: Right, Mr. Chair.

CHAIRMAN SULLIVAN: So everything that they ultimately do propose, other than residential, if they were to make that residential, which would require a change in the master plan, would have to be reviewed by the community.

MR. SALAZAR: That's correct.

CHAIRMAN SULLIVAN: Okay. I just wanted to make sure I understand that. Thanks.

[Duly sworn, Frank Romero testified as follows:]

FRANK ROMERO: My name is Frank Romero and my address is 14 Calle Enrique, Santa Fe, New Mexico. First of all, I think I'd like to clarify a little bit of what Mr. Romero said about that pact that they made. I think the County got involved and got money from the feds. I think the agreement was made that the City could bring their trunk line in and they could provide Agua Fria with emergency water if our well went down or whatever, but what I believe, and I could be wrong, but they specified that the City could not hook up and service anybody in the Agua Fria Village due to the fact that they were using the funds from those hookups to pay back the federal government. That I do remember and I would like to ask you guys if possible to do a further investigation on this because that would break the camel's back right there, to be honest with you.

They would not be able to service any water unless you come up with some kind of loophole when the City bought it, that they won't honor that from PNM, but I would like to ask the feds their opinion on that contract.

Second of all, ever since this project started these guys have been having backdoor



meetings. It's not a community thing. We've asked them to notify the community. We even gave them suggestions on how to do it, but nothing's been done. They've also said we're opposing it because we're L & L. We also asked them how are we going to prevent all these people from suing us for the odor or nuisance or whatever. We really didn't get any straight answers. They sell, well, have your attorney write something up. Well, nobody's actually contacted our attorney at all, for anything like that. They've never come forward to even try to work with the people, to be honest with you. They may be complying with the County [inaudible] but affordable housing, I've asked them, where's your house going to be? Come live with us. They're going to come, clutter this little piece of land then they're going to let us deal with it for the rest of our lives. We've been there a long time and never needed anybody other than the County to come protect us. That's the reason they gave us a historical variance. That's why they gave us all these little committees.

Now if we go above and beyond, these people are just going around and round. We've asked them to lower the density. Agua Fria Village Water Association gave them 15 hookups. No, they want the whole enchilada. And I think you guys need to consider that one little pause, and I think that I'd like to ask you to table it until we can further - call the feds and ask them if we can get a copy of that and bring it to the attention, see if it's going to be honored or not. Since the City bought the system, I don't know if there's any kind of clauses in there that [inaudible] or something like that. But that's all I've got to say.

CHAIRMAN SULLIVAN: Thank you, Mr. Romero.

COMMISSIONER MONTTOYA: Mr. Chair.

CHAIRMAN SULLIVAN: Commissioner Montoya.

COMMISSIONER MONTTOYA: Steve, can you clarify, and I had that question earlier, based on Lee Romero's comment. In terms of the sale from PNM to Sangre de Cristo or however that transaction occurred, what if any restrictions, based on previous agreements would there be through the acquisition of another party of the system?

MR. ROSS: Mr. Chair, Commissioner Montoya, I'm sorry. I never looked at those agreements so I don't know what conditions the City may have assumed or what sort of liabilities they might have assumed. I've not looked at those.

COMMISSIONER MONTTOYA: Okay. If you can answer that question -

MR. SOMMER: That agreement that they're talking about with the San Juan/Chama diversion and the extension of water to the City through PNM's acquisition of those rights under the San Juan/Chama contract, you all have been dealing with that for many, many years. But let me tell you what is in place today with the Agua Fria water system, the one that Mr. Romero was talking about, that's a contract with the City to provide 50 percent of its water needs, right now through a master meter. Gerry Peters' project, part of this traditional village, is served by City water and City sewer, right now, and that's the rental housing for senior citizens on the corner of Henry Lynch, in that area. City water, City sewer in this village, in this district.

the meeting that the project was actually tabled.

If you look at the third to the last paragraph, the second sentence, it says Member Mee seconded and encouraged the applicant to address neighborhood opposition by holding a meeting during the interim with the Agua Fria Village Association. And so that became a condition on that tabling. But the applicant did not meet with the Agua Fria Village Association in that interim period.

Then also in Exhibit H, which is page 5 of the Agua Fria Development Review Committee meeting minutes of August 1, 2007, second to the last paragraph, Member Mee said that he was disappointed the developer did not conduct any community meetings since last month's tabling of this case.

Then going to page 7, second paragraph, also in Exhibit H. Member Mee proposed the following condition, #11. The applicant is directed to routinely meet with the community and business entities as they proceed to final development plan approval in accordance with Section 10.9 of the Agua Fria land use code, meaning that the Agua Fria Village Association, Agua Fria Community Water System, and any businesses in the area should be approached. And the applicant has failed to do that.

There was quite a bit of opposition to the project at the June 6<sup>th</sup> meeting and the other thing that has happened is the applicant has tabled the case a couple of times and when that opposition comes out to the project, and then tonight, when there's not that much opposition to it, they proceed with the case. So I'm not sure exactly what the applicant is afraid of in dealing with the community, but I think it really calls into question the whole project.

We've asked to see a draft of the homeowners association bylaws or the restrictions that would be placed on the property that would enforce the live-work/home occupation situation, because the subdivision's intent of being a good neighbor is only as good as its written word. Unless we have seen some of these restrictions or homeowner association bylaws we can't know what kind of tenants or homeowners they're going to have in this area. There's quite a bit of opposition in the Village Association, that's my second hat, is president of the Agua Fria Village Association. There's quite a bit of opposition to the project because of those commercial projects. They're not sure exactly what kinds of uses might go in.

Another thing that came up is with the sudden drop in house prices and the evaporation of a lot of mortgage funds, what is the financial viability of the project right now? Will they be able to finish this whole project, given the housing market that we have in this country. I know that their affordable housing levels were at \$97,000 to \$194,000, and is that realistic, given the collapse in the housing market? Wouldn't they have to be a lot lower? It's not that you go to a lender and you sign up and you don't have to have any credit. The federal government is cracking down on mortgage loans. Will people of low income be able to afford these houses at those prices?

I really am sorry that there's not a representative from the Agua Fria Community Water System. I think it's as Justin Young stated. They did give the 15 hookups but they

couldn't serve the two commercial lots because of some issues that they have with commercial properties, mainly like that Montano's cement plant. They can't serve a commercial lot because if they did then an industrial use like that would be able to procure water from them. So they've never come up with a commercial policy for users. And they've just actually served them as a residential unit.

So the Agua Fria Community Water System is concerned that this is a precedent, that this would really be the first water service in the Traditional Historic Community area. I know that attorney Karl Sommer says that the senior project is and to some extent that's true, because there are no lines of the water association that run that far east to be able to serve that project. I think that the best recommendation for this Commission is to probably table this particular thing until we can have more input from the Agua Fria Community Water System, and from the community itself. It's pretty hard to get people out time after time when the applicant tables a case just because he knows that he can't win that night. But when there's not many people that come out – sure he can go forward with it in the dead of night. It's almost nine o'clock. But I think the community will really raise hell if this project goes through. Thank you.

CHAIRMAN SULLIVAN: Thank you, Mr. Mee.

COMMISSIONER VIGIL: Question.

CHAIRMAN SULLIVAN: Question, Mr. Mee, by Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Mee, was there anyone who was a part of the hearing process when this request for usage of water went before the City, that was there from the Village or from the water association?

MR. MEE: Not to my knowledge.

COMMISSIONER VIGIL: Okay. And it seems to me that part of what I'm reading into some of the minutes, at some level or at some point in time they required the County to reallocate some of its Buckman Direct Diversion allocation to the City for projects that they're approving for water usage outside the City limits, and I'm reading into that, just based on the fact that this project went before the Public Utilities Committee without a recommendation and then I guess, what we have proposed for us tonight is that the water delivery was approved based on the retrofit program, that no acre-feet of water were required to be transferred over to the City, which – I don't know. Maybe someone from the City needs to answer this. Isn't their standard policy a requirement to transfer water rights?

MR. MEE: Mr. Chair, Commissioner Vigil, I believe so, and I think that's part of the issue is the County maybe needs to look more into this provision for the water.

COMMISSIONER VIGIL: Okay. Thank you, Mr. Mee.

CHAIRMAN SULLIVAN: Okay. Are there any other – you'll get a chance to rebut. Are you raising your hand to speak?

[Duly sworn, Tom Tavelli testified as follows:]

TOM TAVELLI: My name is Tom Tavelli. I would just like for the record, this property goes back five generations. It came from my mother, from her mother, from

her great-grandmother, from my great-grandmother and my great-great-grandmother. I have met – I have been a member of the Agua Fria Village Association. There's not a single person here that hasn't met with me. I sat on the committee. Commissioner Vigil was at the meeting and it's in your notes. We went before not only the community but the Agua Fria Village Association. We have jumped through every hoop. We have met every time we've been told to do something. Every time they said to show up. We need a notice. We want you to meet. We have been there.

I have been a member of the Agua Fria Community Water System, our family has, and the Agua Fria Village Association for over 15 years. So the idea that we aren't part of the community, that we've never met with them – we are always available. Virginia recognizes me. They all recognize me. To say that we have not visited, that they haven't been aware of this project – we went to everyone that's here, long, long before – two and a half years ago. So we've tried everything we possibly could to be good neighbors, and what we've gotten is a continual please come again, we don't have enough information.

We want a fair process. That's all we're asking for. And we've complied. You can ask County staff. You can ask anybody. We've jumped through every hoop and we come back, but nobody just seems to want this because – I don't know why. We're giving five affordable houses. We're donating a park. It's mixed use. It's part of all this stuff. I don't understand what we haven't done. We've addressed every issue.

The idea that we haven't met with the Agua Fria Community Water System – we've met with them for years. That's all I have.

CHAIRMAN SULLIVAN: All right. Thank you, Mr. Tavelli. Just a minute, Mr. Sommer. Have you already spoken, sir? You get one shot around here. It's getting late. Is there anyone else who hasn't spoken who would like to speak at the public hearing? Sir, if your comment is very short, come on up. Make it short.

FRANK ROMERO: One thing I forgot to mention is they're asking for commercial status. That's a real big requisition because let's say that the project would go through and they grant them commercial status. Does that mean that the other hundred percent of the businesses in Agua Fria that are non-conforming can come real quick and apply for permanent commercial status. I think that would open a whole new avenue because then it's just going to blow it out of proportion. Right now it's non-conforming commercial and you guys have control. Open it to commercial, before you know it, across the street there'll be a strip mall. Quick. Won't take but a second. There's investors that are already talking about it. They're just waiting for this to go through so then we have to tackle that other one. This is what I heard through the village. I just want to let you guys know that they're applying for commercial status. That would open it up to the rest of us for permanent commercial status. And that will open it up.

CHAIRMAN SULLIVAN: Okay. Thank you, Mr. Romero. Okay, that will close the public hearing. We've got to have some limit here. Did you already speak? All right. One more comment. This is it. This is the last one. You get one minutes.

LEE ROMERO: I just want to make a comment on Mr. Sommer a while



ago said that Agua Fria depended on the City 50-50, but that's not true. The only reason that Agua Fria is getting water from the City - it's not getting water from the City; we're getting water from the Chama Diversion project. We're paying the City for the distribution of that water. We are not buying the City water. Thank you.

CHAIRMAN SULLIVAN: All right. Thank you, sir. Okay. That will close the public hearing and the applicant is entitled to a summary.

MR. SOMMER: I will take one minute, and it goes to the retro-fit program and the water policy on this. The City's program for retrofits that triggers water right when you are over ten acre-feet. This project is way below that, and that's why there is a retro-fit requirement, not a water rights requirement. The second thing is is that the City does not have a policy and cannot unilaterally impose on the County a policy of allocating San Juan/Chama water by deliveries that it chooses to make in the county. I've heard talk by Councilor Chavez and others about trying to implement that kind of policy, but the County doesn't have under its wheeling agreement or under its agreements with the federal government the ability to allocate San Juan/Chama water from the County's allocation because it chooses to make extensions in the county.

CHAIRMAN SULLIVAN: Okay. Mr. Siebert.

MR. SIEBERT: To clarify one particular issue that was raised was public notice. Between the point that the case was tabled by the Agua Fria Development Review Committee and its final action, we actually went back and held a public meeting where we noticed everybody within 200 feet by mail and posted it in the newspaper. Only one person showed up to that meeting and that was Lee Romero. It was regarded as a tabling. The tabling was a result of us trying to work out the differences of affordable housing over the last two to three months. It's nothing that we ever engendered ourselves.

CHAIRMAN SULLIVAN: Okay. That closes the hearing and the applicant presentation. We're back to the Commission for discussion. Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chair, I represent this district and it's always a difficult thing to do because I recognize Mr. Tavelli, I recognize residents in the neighborhood and I've been a part of the planning process for this. But I also, being a resident of Santa Fe know how much this area has had a disempowerment when it came to development. How difficult it's been for this area to re-empower themselves when it comes to development and how hard this community has tried to be a part of that empowerment process by building their water association, by being a part of their long and arduous planning process.

What is missing for me tonight is the Agua Fria Water Association. I've heard from the County and the experience that they've heard. I've heard from our hydrologist. But I now that this water association has just completed an engineering study, a very comprehensive engineering study that will be able to give them more predictability in terms of what they are capable of supporting in their own community in a traditional, historic, village. I do not believe it's good policy to borrow resources from other jurisdictions. I think the policy creates more conflict than it does resolution. But I recognize also the

problem that that creates for people who are wanting to move forward with development of property such as Mr. Tavelli's that have been with his family for many, many generations.

I do think there's more communications that can occur on this. I think Mr. Tavelli needs to assure the community that the commercial component is going to be within certain limitations, and I think that that's where he might be headed. It sounds like that's what he is, based on the suggestions that are there. I think that assurance is an integral component of the success of this development in this community, because this community, frankly, has been dumped on too much by commercial development.

And I think with that in mind, and the fact that we need to support water associations. That's part of our County policy. We need to be able to create a support system for those water associations who are viable and are able to move forward in their own strength. That is part of the comprehensive, countywide policy that has been discussed through our strategic planning process and I think continues to need to be.

With that, and with the lack of knowledge I have from the water association, Mr. Chair, I'm going to recommend that we table this for one more hearing, and request that the Agua Fria Water Association be a part of this hearing process, that they give us their input with regard to what they're capability is of supporting this project. And not having that, Mr. Chair, I think we're doing an injustice to this community without getting all of those points clarified. I move to table to the next use land use committee meeting.

CHAIRMAN SULLIVAN: Motion to table. Is there a second? Hearing no second, motion dies. What's the pleasure of the Commission?

COMMISSIONER MONTROYA: Mr. Chair, this is master plan approval and I think there's the concerns that have been stated by the individuals who are concerned about this certainly can be met throughout the evolution of this process. I think it's clearly stated under condition 12 that once the Agua Fria community water system has the capacity to serve the development, the applicant shall, not may or possibly – that they shall disconnect from the City utility and connect to the Agua Fria community water system.

The AFDRC did recommend approval, so that means from June to August there had been some progress in terms of the discussions that had been made to that point and again, this is master plan and it still has to come back for further approval from this body. So I would recommend approval of staff's recommendation for master plan along with the conditions, 1 through 12.

CHAIRMAN SULLIVAN: Is that a motion?

COMMISSIONER MONTROYA: Yes.

CHAIRMAN SULLIVAN: Second. Discussion? Those in favor say "aye".

Motion carries two and one not voting.



Tavelli Subdivisi  
North View



tabbles®  
EXHIBIT  
5

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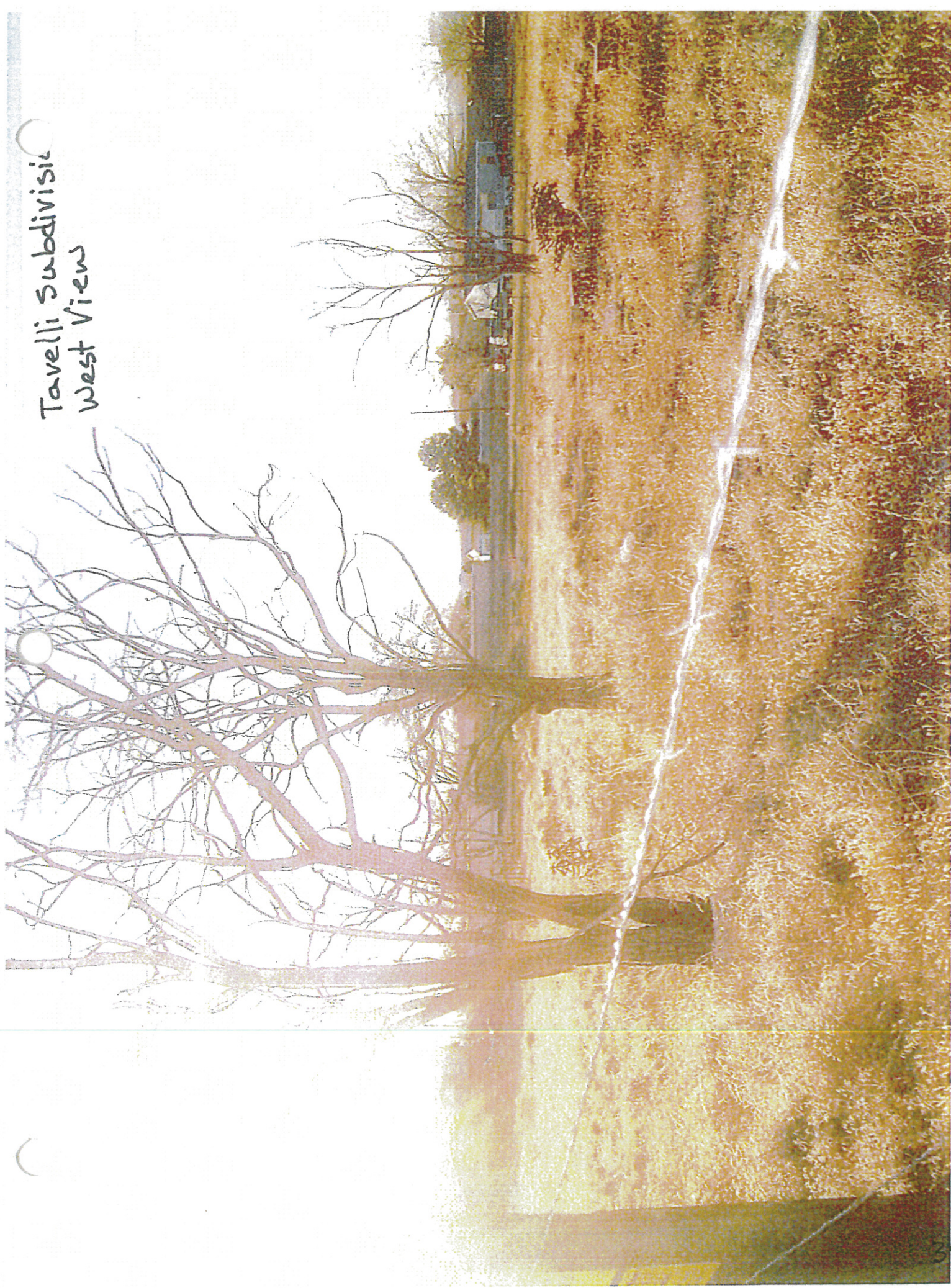


Tavelli Subdivision  
Northwest View

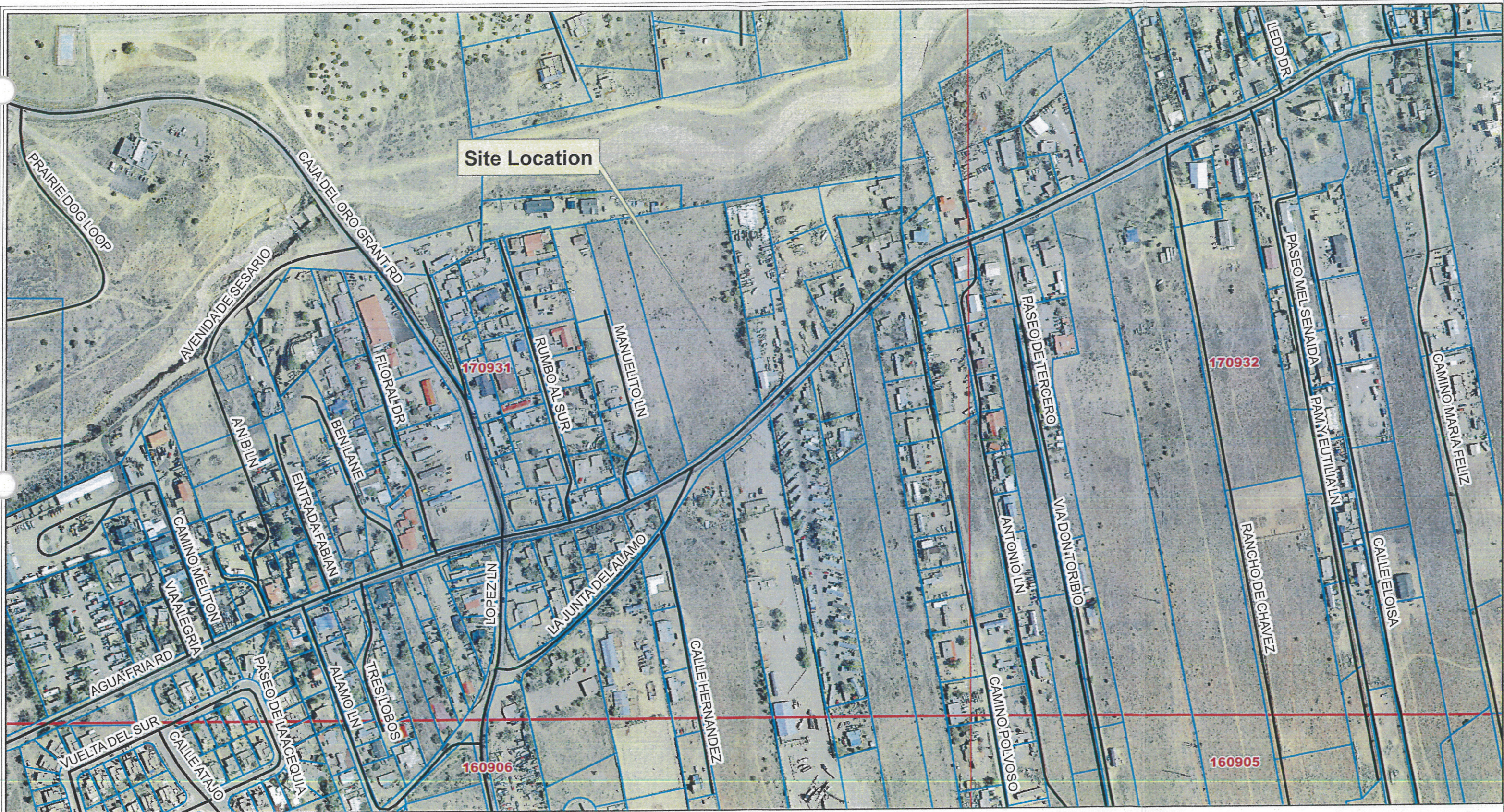




Tavelli Subdivision  
West View







Site Location

170931

160906

170932

160905

- Legend**
- ROADS
  - Parcels
  - Township and Range Lines
  - Section Lines
  - Non-PLSS Boundary

1:3,474  
1 inch represents 289.471258 feet  
240 120 0 240 Feet



2008 Orthophotography  
2 FOOT CONTOURS

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**Vicki Lucero**

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**From:** Penny Ellis-Green  
**Sent:** Thursday, December 06, 2012 8:14 AM  
**To:** Wayne Dalton; Vicki Lucero  
**Subject:** FW: AFVA Recommending Denial of extension on Tavelli Case 06-5271

Please pass onto case planner and have them hand out at meeting and ensure we can address the issues raised.  
Thanks.

Sent from my Windows Mobile phone

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**From:** William Mee <[williamhenrymee@aol.com](mailto:williamhenrymee@aol.com)>  
**Sent:** Wednesday, December 05, 2012 10:36 PM  
**To:** Katherine Miller <[kmiller@co.santa-fe.nm.us](mailto:kmiller@co.santa-fe.nm.us)>; Penny Ellis-Green <[pengreen@co.santa-fe.nm.us](mailto:pengreen@co.santa-fe.nm.us)>; Vicki Lucero <[vllopez@co.santa-fe.nm.us](mailto:vllopez@co.santa-fe.nm.us)>; Rita B. Maes <[rbmaes@co.santa-fe.nm.us](mailto:rbmaes@co.santa-fe.nm.us)>; Virginia Vigil <[vvigil@co.santa-fe.nm.us](mailto:vvigil@co.santa-fe.nm.us)>  
**Cc:** [cdGonzales@comcast.net](mailto:cdGonzales@comcast.net) <[cdGonzales@comcast.net](mailto:cdGonzales@comcast.net)>; [gjmontano@msn.com](mailto:gjmontano@msn.com) <[gjmontano@msn.com](mailto:gjmontano@msn.com)>; [catsfe@msn.com](mailto:catsfe@msn.com) <[catsfe@msn.com](mailto:catsfe@msn.com)>; [mcteducator@yahoo.com](mailto:mcteducator@yahoo.com) <[mcteducator@yahoo.com](mailto:mcteducator@yahoo.com)>; [AFCWA@msn.com](mailto:AFCWA@msn.com) <[AFCWA@msn.com](mailto:AFCWA@msn.com)>; [hazeljromero@yahoo.com](mailto:hazeljromero@yahoo.com) <[hazeljromero@yahoo.com](mailto:hazeljromero@yahoo.com)>; [LoisBMee@aol.com](mailto:LoisBMee@aol.com) <[LoisBMee@aol.com](mailto:LoisBMee@aol.com)>; [gdhernandez@q.com](mailto:gdhernandez@q.com) <[gdhernandez@q.com](mailto:gdhernandez@q.com)>; [tamaralichtenstein@gmail.com](mailto:tamaralichtenstein@gmail.com) <[tamaralichtenstein@gmail.com](mailto:tamaralichtenstein@gmail.com)>; [Potty@cnsf.com](mailto:Potty@cnsf.com) <[Potty@cnsf.com](mailto:Potty@cnsf.com)>; [ramplumbingandwaterservices@q.com](mailto:ramplumbingandwaterservices@q.com) <[ramplumbingandwaterservices@q.com](mailto:ramplumbingandwaterservices@q.com)>  
**Subject:** AFVA Recommending Denial of extension on Tavelli Case 06-5271

## Agua Fria Village Association

2073 Camino Samuel Montoya  
Santa Fe, NM 87507

Katherine Miller  
County Manager

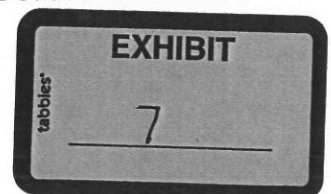
Penny Ellis-Green  
Land Use Administrator  
Land Use Planning Department  
Santa Fe County  
P.O. Box 276  
Santa Fe, N.M. 87504-0276

December 6, 2012

Dear Ms. Miller and Ms. Ellis Green:

The Agua Fria Village Association (AFVA) on behalf of the Agua Fria Village Traditional Historic Community (THC) is formally protesting the two year extension of the Masterplan for the Tavelli subdivision, Michael A. Tavelli, applicant, BCC Case #MIS06-5271, Agua Fria Street.

We are asking the Board of County Commissioners (BCC) to deny this extension based on the new information that follows:

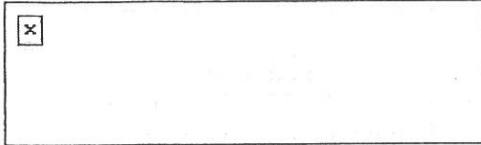


The original approval by the BCC of the Tavelli Masterplan was based on the lots being serviced by the City of Santa Fe Water system from its 12" main line in Agua Fria Street. That line was abandoned by the City of Santa Fe and its complete interests turned over to the Agua Fria Community Water Association through Santa Fe County as a part of the Settlement Annexation Agreement. The administration of any water service hookup has now changed and the applicant must reapply for a new water service.

The action to deny the Extension was adopted as a motion at our Agua Fria Village Association meeting of December 3, 2012 and was approved unanimously by attendees, at which former members of the Agua Fria Development Review Committee and the Agua Fria Community Water Association also attended.

Thank you for your attention to this matter.

Sincerely,

A rectangular box with a small 'x' icon in the top-left corner, indicating a redacted signature.

William Henry Mee, President AFVA  
(505) 473-3160  
[WilliamHenryMee@aol.com](mailto:WilliamHenryMee@aol.com)