

VILLAGE OF BOSQUE FARMS

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Sharon Eastman, Chair

Commission:
Dan Garrison
Joe J Hale
Michael Baber
Kevin Schaus

Planning and Zoning Commission Minutes October 14, 2025

THE PLANNING & ZONING COMMISSION OF THE VILLAGE OF BOSQUE FARMS
WILL HOLD ITS REGULAR MEETING ON TUESDAY, OCTOBER 14TH, 2025 IN THE
COUNCIL CHAMBERS, 1455 WEST BOSQUE LOOP, BOSQUE FARMS, NM AT
6:30PM.

1. CALL TO ORDER & ROLL CALL

Present: Chair Eastman, Commissioner Garrison and Commissioner Baber Excused:
Commissioner Schaus and Commissioner Hale

2. PLEDGE OF ALLEGIANCE

Robert Pierson

3. APPROVAL OF AGENDA

Chair Eastman: So we don't have any September 8th minutes yet?

Acting Planning and Zoning Administrator (APZA): No, ma'am. I should have those for the
next hearing. I believe I've located the recording of it. So it'll be just a matter of transcribing
those into minutes. And we'll also have this minutes from this meeting as well for the next
meeting.

Chair Eastman: Well, I would entertain a motion to postpone taking action on the September
8th minutes until the November Meeting.

Motion to approve: Commissioner Baber, Second: Commissioner Garrison, Unanimous

4. PUBLIC COMMENT FOR NON-AGENDA ITEMS

None

5. DEPARTMENTAL REPORTS

None, Acting Planning and Zoning Administrator was not aware of what information the
Commission would like to have a report on

6. REVIEW & TAKE ACTION ON SEPTEMBER 8 MINUTES

Deferred to November Meeting as the Minutes were not completed by the Acting
Planning and Zoning Administrator.

“PRESERVING RURAL AMERICA”

36
37 **7. PUBLIC HEARING**
38

39 **a. Marisela Ortega is requesting a Conditional Use for a Day Care at 355**
40 **Spencer Ln. Legally described as BARNETT TRACTS B-5-12 Tract: 14F**

41 **Marisela Ortega (applicant, 355 Spencer, sworn):** Requesting to have a home day-care in at
42 her residence. Applicant addressed concerns expressed by her neighbors:

- 43 • It's not a big daycare
- 44 • Traffic will not result in a lot of cars going up and down the road
- 45 • No Does not believe that noise (generated by the kids) will bother the neighbors,
46 noted the houses are far from each other.
- 47 • It is kind of like a babysitter with four or five kids, but she cannot call it that for
48 licensing reasons, it has to be called home daycare)
- 49 • Neighbors concerned about required fence enclosing the yard not being constructed.
- 50 • Fire extinguishers are required by the State
- 51 • Everybody in my house has to have fingerprinted Before
- 52 • State licensing approval for the day care.
- 53 • Explained she tried to rent commercial property but could not get a rent rate she
54 could afford.
- 55 • She stated she does not plan to have the day-care permanently at the residence, but
56 only long enough to get up and running.
- 57 • Stated the home requires improvements such as a paved driveway and fence, along
58 with other exterior and interior items before the State will approve it, she expects
59 that the work will take about 6 months
- 60 • Stated there is also a Fire inspection required.

61 **Chair Eastman:** Are you living in the house?

62 **Ms. Ortega:** Yes,

63 **Chair Eastman:** How many children of your own do you have?

64 **Ms. Ortega:** Three grown children. 22 year old my daughter behind me, and an 18-year-old
65 college student and a 15-year-old in high school, so they've grown up

66 **Chair Eastman:** I Know you're working on your licensing and so forth and you gave us a lot of
67 documentation. What is your plan for fencing and building your playground

68 **Ms. Ortega:** They have an installer, but he hasn't started yet, he is finishing other projects.

69 **Chair Eastman:** What about the playground?

70 **Ms. Ortega:** The playground has to be located at the back of the house

71 **Commissioner Baber:** Can you tell me about parking drop-off pick-up zones

72 **Ms. Ortega:** Stated she Is planning to use the driveway as a parking space, used an example of
73 six kids to explain the likely drop off schedule. There will not be the six cars at the same time for
74 drop off or to pick up of the kids They will probably be 20 minutes apart or maybe 10 minutes,
75 What about employees parking?

76 Doesn't believe she will need an employee due to the low number of kids, but if she needs help,
77 she can get it from her immediate family members living in the home.

78 **Commissioner Baber:** Yeah, but they're not scheduled drop-offs, there is a chance that you
79 could have multiple parents show up at once, is that possible?

80 **Ms. Ortega:** Acknowledged that might happen but believes there is adequate parking in the
81 driveway if it happens.

82 **Chair Eastman:** What age children are you planning to have?

83 **Ms. Ortega:** Six weeks to 12 years old noted the older children would be in school most of the

84 year so only at the residence day-care part of the day.

85 **Jebediah Alderete (365 Spencer, speaker, sworn):** Expressed concern increased traffic on Abo

86 Road, additionally the intersection of highway 47 and Abo road is a very dangerous intersection

87 and the resulting ingress and egress twice a day at drop-off and pickup time for the daycare

88 Concerned about young drivers entering and exiting highway 47 Noted there is another daycare

89 at Abo and NM47.

90 **Chair Eastman:** Is your property adjacent?

91 **Jebediah Alderete:** My property is not adjacent. It is directly south she can see into the

92 backyard of the property due to the fencing situation

93 **David Harris (375 Spencer Lane, speaker, sworn):** Discussed State regulations related to day-

94 care. Concerned about the garage being used as the day-care. Concerned about the unfinished

95 driveway, the lack of sidewalk to the garage. Expressed concern about the sewage grinder that

96 has not been covered yet and is a danger for the kids and adults walking and playing in the

97 neighborhood. Believes there will be too much traffic that would pose a danger to the

98 neighborhood kids

99 **Ms. Ortega:** Acknowledged driveway not done yet and stated the day-care would be located in

100 the garage, after remodeling it into a occupiable space. Also noted the grinder pump is exposed,

101 but is currently installed on the adjacent property, she is waiting for the Village to correct the

102 situation.

103 **Chair Eastman:** Okay Robert making a note of that so that can go to the Village Clerk and or

104 utility department and they can get that straightened out.

105 **Mike Lowe (360 Spencer Lane, speaker, sworn):** Stated the Village Ordinances address the

106 traffic, the streets and public ways are not to be congested, to secure property from fire, flood,

107 and other dangers, to promote health and general welfare of the residents, to prevent the

108 overcrowding of the land, to avoid undue concentrations of population, to facilitate adequate

109 provisions for transportation, water, sewage, schools, parks, and other requirements, to conserve

110 the value of the buildings and the land, to encourage the most appropriate use of the land

111 throughout the Village. Believes this business would violate all of those things listed previously.

112 Believes approving the day-care would set a dangerous precedent.

113 **Kathy Reichman (510 Abo Court, speaker, sworn):** Noted Abo and Abo Ct is a dangerous

114 intersection. Noted there is one way in and out of the neighborhood, and the roads are narrow

115 with no sidewalks. Concerned about children, pets and adults moving around the neighborhood

116 along the streets. Wants the quiet rural neighborhood to remain as it is. Believes that it is unfair

117 for our neighborhood to have to handle 2 daycares (current one is at Hwy. 47 and Abo Rd.)

118 Concerned about all children at the day-care being dropped off at the same time.

119 Concerned about the business exceeding the allowed number of children.

120 **Don Cadenhead (address, speaker, sworn):** Concerned about the applicant's

121 credentials. Concerned about traffic, narrow streets, kids walking their dogs and kids learning

122 how to ride bicycles, etc. Note the cul-de-sac on Spencer is kind of small for loading and

123 unloading children.

124 Concerned about the parents, dropping off the kids, being in a hurry.

125 **Chair Eastman:** So your primary concern is traffic.

126 **Don Cadenhead:** Yes, it is, he noted that most residents in the neighborhood are retired and

127 would be bothered by the children making noise.

128 **Jason Beatty (340 Spencer Lane, speaker, sworn):** Agreed with his neighbors' concerns.
129 He and his wife are opposed to the proposed daycare business. Voiced concern about the size of
130 the cul-de-sac, noting it is small. Stated concern for dog walkers and kids playing.
131 He believes that any business in the neighborhood is going to bring more people, more traffic
132 and noise. Expressed concerns about how people drive.
133 **Commissioner Baber:** In your letter, you state the Declaration of Covenants. Can you tell us a
134 little more about that?
135 **Jason Beatty:** The Covenants talk about no businesses being allowed in the neighborhood.
136 **Chair Eastman:** We as Planning and Zoning Commission and as the Village of Bosque Farms
137 do not enforce covenants. That is up to your neighborhood group to do that.
138 **Jason Beatty:** I understand, but I thought it was important for the commission to know.
139 **Jason Hunt (380 Spencer, speaker, sworn):** Concerned about traffic, day-care kids climbing
140 his fence to get to his pool. Concerned about visibility at drop off time due to rising and setting
141 sun. Concerned about vehicles negotiating the cul-de-sac as large vehicles have to make several
142 attempts to get turned around.
143 **Chair Eastman:** Is the road posted with the speed limit? I was down there the other day.
144 **Lucy Lucero (555 Abo Court, speaker sworn):** Expressed concerns about traffic, about
145 children's safety. Noted Abo Rd. is a dead end. Stated there are vacant lots in that area so traffic
146 has not reached its full volume.
147 **Corey Townsend (455 Abo Ct., speaker, sworn):** Questioned rather the use was permanent or
148 until the applicant could find a commercial space.
149 **Chair Eastman:** I believe she's asking for permanent conditional use.
150 **Commissioner Baber:** She did state that it was temporary, during her testimony.
151 **Chair Eastman:** The way the Zoning ordinance works is people are allowed to have a small
152 business in their home with a conditional use. They can't have any employees, they are limited
153 to the things that they can do, and they can only have a small sign. Typically, those are people
154 that are running an office out of their home and it is limited to a portion of the home (or
155 accessory building).
156 We do have one, possibly two other home day-cares here in the village that conform to the
157 requirements. And there are strict requirements for a day-care. No more than six kids and no
158 employees. They also have to have all of the licensing from the State.
159 And we, as a zoning commission, have the right to put conditions on such uses to tell them you
160 can do this much, but you can't do that much.
161 **Corey Townsend:** If she's allowed to use it conditionally, is there a time limit?
162 **Chair Eastman:** We can put a time limit, at this point, we're just taking testimony.
163 **Corey Townsend:** If there's all these conditions on the property that have to be met in order to
164 be a day-care, wouldn't it make more sense to have those done before you apply to have a day-
165 care?
166 **Chair Eastman:** Yes.
167 **Stephanie Chavarro (355 Spencer Ln., speaker, sworn):** Daughter of applicant, stated she
168 would help with the children if needed. Stated they wanted the 12-14 kids but that 6 would be
169 great. Also, she understood concerns about traffic and noise. Stated she did not believe that the
170 noise from children playing would affect the neighbors due to the spacing between
171 homes. Stated they had tried to get a commercial location but had not been able to locate
172 one. They are hoping to start in the home but then move to a commercial location. Stated that

173 the purpose of the Day-Care is to help out the children, give them somewhere to be that is safe
 174 and a head start on life.

175 **Chair Eastman:** This is a daycare, not a school.

176 **Stephanie Chavarro:** Correct, but that's where they learn their manners, and their brains start
 177 developing. Stated that they might be able to help parents diagnose issues with the kids such as
 178 learning issues or behavioral issues.

179 **Chair Eastman:** Is there anyone else out there that wants to speak to this?

180 **Ms. Ortega:** Wanted to respond to the neighbors questions, stated she applied for a permanent
 181 conditional use as she did not understand the process. She noted that she applied before
 182 completing everything on the property (fencing, driveway, etc.) as it is part of the process of
 183 getting the business ready to open including State certification. Plans on using the garage as it
 184 preserves the privacy of her home. Stated financing reasons are why the home is not complete at
 185 this time. Stated the fence would be installed this month

186 **Chair Eastman:** If we gave you permission to do this, it would be with the conditions of many
 187 things that have to be done first. And I understand that you might not want to spend the money
 188 doing them, not knowing whether you're going to get permission to do it or not. We do
 189 understand that.

190 **Commissioner Baber:** I hear the neighbors, I hear the community, and I completely understand
 191 where they're coming from and I respect where they're coming from. I personally agree with
 192 them that the traffic would be a nuisance in the area. I've been in the area, and those roads are
 193 very narrow. And I have seen kids playing there. Not to say that all of Bosque Farms isn't
 194 equally as important or quiet or small, but there is one way in and one way out in that very
 195 narrow road. So I understand and I do agree with them that traffic would be an issue there,
 196 especially being as far back in there as this residence is.

197 **Commissioner Garrison:** I have to agree with Commissioner Baber. I think the desire to have a
 198 home business is a legitimate request, but I really have questions about whether the traffic will
 199 even make it worthwhile.

200 **Chair Eastman:** Well, I don't know if either of you have gone back there. I have. and I called
 201 Mr. Pierson this afternoon because I wanted to know how wide Abo Road is. And actually, it's
 202 very close to 40 feet, which is a legal road.

203 This request in my opinion, that this is ready, I don't think that as a Commission we should give
 204 permission for something that might not take place for six months or a year. I understand
 205 needing money to get started, and she has gotten many of the certifications that she needs to
 206 have, but without a fence, without a driveway, without even a drawing of how that's going to be
 207 and where the parking's going to be and everything else, I personally can't support it.

208 **Motion to Deny Commissioner Baber, Second Commissioner Garrison**

209 **APZA:** Madam Chair, are there any findings that the Commission would like to add?

210 **Chair Eastman:** I think we can safely say that the traffic is a major issue in the neighborhood.
 211 Second this is not a complete application and is not ready to be approved.

212 **APZA:** Do you accept the findings that she stated as amending your motion?

213 **Commissioner Baber:** I do.

214 **Motion to Deny as amended with Findings: Commissioner Baber, Second Commissioner**
 215 **Garrison**

216 **Vote: Unanimous**

217 Some of the Commissioners did recommend commercial buildings they knew were available for
 218 rent to the applicant.

Chair Eastman: Pierson will give you a letter stating what our decision and so forth.

b. Ezequiel Rojas is requesting a Conditional Use for Auto Sales at 2820

Bosque Farms Blvd. Legally described as Tract: 6E1B S: 12 T: 7N R: 2E

Chair Eastman: Ezequiel Rojas are you here? It appears we do not have an applicant.

Per Section 10-1-26- Appearance at public hearings is required. Any applicants or their agents submitting a conditional use variance zone change, zone text, or appeal request shall appear in person at any meeting or hearing scheduled to consider the respective applications.

If the applicant is not the property owner, the property owner shall submit a notarized letter authorizing a designated agent to appear at the public meeting the property owner or his designated agent shall be present at the public meeting if any applicants or their agents do not appear in person at the respective meeting the application will be denied and any fees paid will be forfeited to the Village of Bosque Farms so Mr. Rojas should receive a letter stating that that it's an automatic denial.

If he wants to reapply, he has to start over again.

8. CHAIR & COMMISSION REPORTS

Commissioner Baber: I have nothing to report at this time. Asked questions about Mr. Pierson's background and contract with the Village.

Commissioner Garrison: None

Chair Eastman: I do have some inquiries. In April, this commission voted to have a property at 1290 Truches Trail inspected by code enforcement for having a salvage yard. This hasn't been done yet.

What is the status of the letter the Village Attorney is writing to request an inspection?

Next A couple of months ago, three months ago, a gentleman named Mr. Paint who lives at 1935 El Dorado, came in and he had moved his son's large motor home onto his property without permission. And we denied his request, it's a half acre lot, to have that extra residents on there he claimed that his son needed it because of medical necessity. Then the council denied it but nobody ever set a time limit that I'm aware of.

Commissioner Baber: No, we gave him a time limit. On the letter she gave him, I think she gave him 60 days to remove it.

Chair Eastman: I've been researching our sign ordinance amendments that were passed in December of 2021, and I actually went down to the newspaper hoping to find the number of the Ordinance, it was legally notified in the paper both before and after. One of the ladies from the news bulletin actually went back into her own notes to see if she had put down the number of that ordinance and she had not.

APZA: I'll see if I can find anything, but unfortunately it looks like this is a do-over situation.

Lee Wharton: What about Peralta wanting part of Bosque Farms? And then Rizzo is past their timeframe for their ADU.

Chair Eastman: I was told that they were sent a letter. And the last thing that I have is Back off of the West Loop there's a large orange house. And the contractor, when the house was being built, put up a sign about this big, probably four by six, saying, Green Desert Contractor. The house has been occupied for at least two months, and that sign's still there.

Commissioner Garrison: And I do have one thing. Just a heads up, the CPA's office on NM 47 I believe several times, at least three or four times this summer, there have been vehicles for sale out of his parking lot.

Also, there is a hauling business, Romero's hauling, that put small signs, maybe about two to three feet high by a foot and a half wide, on all the corners of the north loop, south loop, Esperanza. His phone number's on there, so it would be very easy for me to acquire one of the signs and call him to let him know.

Chair Eastman: There was one little sign in front of the community center.

9. ADJOURNMENT

Commissioner Baber: I move that we adjourn this meeting at 8:15.

TIME AND PLACE OF NEXT MEETING

THE NEXT MEETING OF THE VILLAGE OF BOSQUE FARMS PLANNING & ZONING COMMISSION WILL BE HELD ON MONDAY, NOVEMBER 3RD, 2025.


Planning and Zoning Commission Chair

