



# Agenda

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## ARCHAEOLOGICAL REVIEW COMMITTEE HEARING

THURSDAY, August 7, 2014 at 4:30 PM

CITY COUNCILORS' CONFERENCE ROOM

CITY HALL - 200 LINCOLN AVENUE, SANTA FE, NM

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: July 17, 2014
- E. ACTION ITEMS
  - 1) Case #AR-15-14. Stephen Post, agent for Karen and Jeffrey Lawrence, owners, requests approval for reconnaissance for 4.317 acres at 2019 North Spur Road in the River and Trails Archaeological Review District as complying with 14-3.13(C). (Lisa Roach)
- F. ADMINISTRATIVE MATTERS AND COMMUNICATIONS
- G. MATTERS FROM THE COMMITTEE
- H. ADJOURNMENT

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ARCHAEOLOGICAL REVIEW COMMITTEE  
August 7, 2014

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CASE #AR-15-14. STEPHEN POST, AGENT FOR KAREN AND JEFFREY LAWRENCE, OWNERS, REQUESTS APPROVAL FOR RECONNAISSANCE FOR 4.317 ACRES AT 2019 NORTH SPUR ROAD IN THE RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT, AS COMPLYING WITH SECTION 14-3.13(C)	Approved w/corrections	2-6
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**MINUTES OF THE  
CITY OF SANTA FE  
ARCHAEOLOGICAL REVIEW COMMITTEE HEARING  
City Councilors Conference Room  
August 7, 2014**

**A. CALL TO ORDER**

The Archaeological Review Committee Hearing was called to order by David Eck, Chair, at approximately 4:30 p.m., on August 7, 2014, in the City Councilors Conference Room, City Hall, Santa Fe, New Mexico.

**B. ROLL CALL**

**Members Present**

David Eck, Chair  
James Edward Ivey  
Derek Pierce

**Members Excused**

Tess Monahan, Vice-Chair  
Gary Funkhouser

**Others Present**

David Rasch, Historic Preservation Division  
Lisa Roach, Historic Preservation Division  
Zachary Shandler, Assistant City Attorney  
Melessia Helberg, Stenographer

**NOTE: All items in the Committee packet for all agenda items are incorporated herewith to these minutes by reference; and the original Committee packet is on file in, and may be obtained from, the Historic Preservation Division.**

### **C. APPROVAL OF AGENDA**

**MOTION:** Jake Ivey moved, seconded by Derek Pierce, to approve the Agenda as presented

**VOTE:** The motion was approved unanimously on a voice vote.

### **D. APPROVAL OF MINUTES – JULY 17, 2014**

The following corrections were made to the minutes:

Page 3, correct "Ivy" to "Ivey"

Page 3, under Jake Ivey, correct as follows: "..... said this is correct..."

Page 9, paragraph 4, line 1, correct as follows: "OAS ~~data base~~ is lucky to..."

Page 10, paragraph 6, line 6, correct as follows: "...won't be able to..."

**MOTION:** Derek Pierce moved, seconded by Jake Ivey, to approve the minutes of the meeting of July 17, 2014, as amended.

**VOTE:** The motion was approved unanimously on a voice vote.

### **E. ACTION ITEMS**

1. **CASE #AR-15-14. STEPHEN POST, AGENT FOR KAREN AND JEFFREY LAWRENCE, OWNERS, REQUESTS APPROVAL FOR RECONNAISSANCE FOR 4.317 ACRES AT 2019 NORTH SPUR ROAD IN THE RIVER AND TRAILS ARCHAEOLOGICAL REVIEW DISTRICT, AS COMPLYING WITH SECTION 14-3.13(C).**

Lisa Roach presented information from the Staff Report, with attachments, dated July 29, 2014.

#### **BACKGROUND AND SUMMARY:**

At the request of property owners Karen and Jeffrey Lawrence, Stephen Post conducted an archaeological and archival study of 4.317 acres at 2019 North Spur, locate in the River and Trails Archaeological Review District. The purpose of the study was to identify significant archaeological or historical resources within the project area in advance of the construction of a proposed 100 square foot addition to the southwest side of the existing main house on the property. Conducted

from July 17 to July 22, 2014, the study identified four isolated occurrences, and the consultant recommended no further investigation. These findings are presented in the accompanying report "An Archaeological and Historic Study of 4.317 Acres at 2019 North Spur, Santa Fe, New Mexico." This report satisfies the stipulation in the Ordinance that requires an Archaeological Clearance Permit for projects on lots over two acres in size in the River and Trails Archaeological Review District (14.3.13(B)(2)(a)).

**STAFF RECOMMENDATION:**

Staff recommends approval of the reconnaissance report as it meets the intent of the City of Santa Fe Archaeological Review District Ordinance (14-5.3), the requirements of Archaeological Clearance Permits (14-3.13(B)(2)(a) and the requirements of performing Reconnaissance (14-3.13(C)(5)(a) and (b)).

Ms. Roach said in initial discussions about this project, 3 options were proposed by staff:

1. An alternative method of compliance could be performed, monitoring the addition;
2. A partial clearance of the lot with recording of that clearance on the plat;
3. Clearance of the entire lot.

Ms. Roach said the option chosen was for clearance of the entire lot.

Stephen Post said as the Ordinance is written, this project should not have come before this Committee. He said this was not always practice and past practice is not written in the Code.

Mr. Post said they are in the process of developing the scope of work for the project. The Code is written so that a product of this description should not come before this Committee. They are in the process of developing scopes of work for which there are no legal cases as written in the Code. He said he is speaking on behalf of his client who was upset and confused when the alternative method they chose was rejected. He said, speaking on behalf of myself as a professional, I found it difficult to be put in a position to do work that is not required. He is grateful for the three options which were offered for his client. However, according to Mr. Rasch, the alternative measures were not brought before this Committee previously and they are on a very short time frame. Mr. Post said he advised his client to go with Option 3, the clearance of the entire lot, a full survey.

Mr. Post said he would ask that this Committee review and come up with an external policy that is clear regarding this matter and that the alternative methods deemed appropriate within different districts are codified as well. He said having said this, he doesn't have much to say about the report, other than the process allowed him to familiarize himself with the process.

Chair Eck asked Mr. Rasch and Ms. Roach to comment.

Mr. Rasch said he doesn't remember when Mr. Post called. He said the way the City has operated he believes, is the same as Code. He said the Building Permit application is what informs them when archaeology is required, noting it is very late in the process. He said we would hope whenever there is an application for a building permit, they would be able to evaluate whether or not archaeology would be needed. He said, however, that doesn't happen all the time.

Mr. Rasch said the two things that probably are impacting this case are, first, like proscriptive easements, once you do something long enough, our attorney has advised us that it becomes law, and to forget what the Ordinance says – when you practice something so long it becomes the law. Secondly, when the Code is rewritten, and he believes this is in the current Code, we may want to revisit that, as well as to codify other methods of compliance that aren't in the Ordinance.

Chair Eck said, "I would like to see the Ordinance revisions in my lifetime."

Mr. Rasch said the rewrite is on hold. He said Marissa Barrett was working on a rewrite before John Murphey came on board along with Jeanne Price from Legal. He said the previous rewrite apparently was written using the wrong Code citations, so it was difficult to mesh the two versions.

***The following comments and corrections to the report, were made by Chair Eck, Derek Pierce and Jake Ivey:***

Page 9, Paragraph 5 under Paleoindian Period, line 4, correct as follows: "...light to this..."

Page 10, Paragraph 1 under Archaic Period, line 5, correct as follows: remove the comma after "points."

Page 11, Paragraph 3, line 7, correct as follows: Add a period after (Schmader 1994).

Page 11, Paragraph 3, line 4 correct as follows: "Santa Fe drainage was repeated reported..."

Page 11, Paragraph 3, line 10, correct as follows: Insert a comma after LA 61282.

Page 24, Paragraph 1, line 1, correct as follows: "one of the largest..."

Page 27, Paragraph 1 under Previous Archaeological Work, correct as follows: "...residence was designed..."

Page 35, Paragraph 2, line 1, correct as follows: "And It is..."

Page 37, Paragraph 2, line 1, correct as follows: "...and ~~possible~~ possibly in...."

Page 37, Paragraph 4, line 5, correct as follows: Remove the period after "Sanatorium."

Page 37, Paragraph 5, line 3, correct as follows: "...all of ~~the~~ Lot 10...."

Mr. Ivey asked if there is supposed to be a bibliography in the report.

Chair Eck said there was, but somehow it was left out of Mr. Ivey's packet.

A member referenced there are missing pages in the report, pages 43-51.

Staff apologized and said the missing pages will be provided to the Chair and members of the Board.

Chair Eck noted the USGS map is missing due to a copying mishap as mentioned previously.

Chair Eck noted the caption for figure 5, says colluvial flats while in other parts of the report it is colluvial slopes. He asked if he meant colluvial slopes.

Mr. Post said it is a 5% grade and it could be called a slope.

Chair Eck asked that it be changed for the purpose of consistency in the report.

**MOTION:** Derek Pierce moved, seconded by Jake Ivey, with respect to Case #AR-15-14, to approve the request for approval of a reconnaissance for 4.317 acres at North Spur Road in the River and Trails Archaeological Review District, requested by Stephen Post, agent for Karen and Jeffrey Lawrence, owners, with the aforementioned corrections, finding it meets the intent of the City of Santa Fe Archaeological Review District Ordinance 14-3-13(C).

**VOTE:** The motion was approved unanimously on a voice vote

**F. ADMINISTRATIVE MATTERS AND COMMUNICATIONS**

1. Introduction of Lisa Roach

David Rasch formally introduced Lisa Roach, noting that the previous minutes incorrectly reflect her name as Jessica Roach.

The members of the Board welcomes Ms. Roach and said they are happy to have her on board.

2. Committee Agenda

Staff said the Chair sets the agenda and noted that they take direction from the Chair in this regard, and if he has items of business from the Board, staff can be directed to put that item on the Agenda.

It was the consensus among the Board to place Items from the Floor on the Agenda as a regular item.

3. Communication from Stephen Post regarding the Sheridan Street Project

Mr. Post said, regarding the new Sheridan Street Bus Terminal Project which is in design phase, he has been approached by Mr. Ashton from Wilson & Company in Albuquerque which has the contract to do the design plans for the City on the project. He said Mr. Ashton was asking if they needed to do archaeology for the geo test they are planning to do in the street, and for the 10 pot holes they need to dig on top of the utilities to assess the street condition. Mr. Post said he advised Mr. Ashton that in his past experience he had not encountered an issue with vertical boring. He said he had spoken with Michelle Ensey who said "it was basically turned into slurry." He said Ms. Ensey agreed that digging small pot holes on top of utilities in pre-existing trenches is not an activity that she was monitoring, or that additional investigation is needed.

David Rasch said this is another item which needs to be codified if the Committee does not wish to have horizontal or diagonal boring. Mr. Rasch questioned the reason for doing vertical boring which was not over utility traps. He said if Mr. Post was doing it elsewhere it might be different, so we need direction on that as well.



Chair Eck said he would need to have more information about what is being done. He said geotechnical boring implies that there will be bigger, better, broader ground disturbance involving construction of something or other, and would like know what is that something or other.

Mr. Roach said it is for a kiosk for shelter and/or bus schedule information. The project includes 3 or 4 structures, road narrowing and changing grade. He said it will be substantial construction the entire length of Sheridan Street. He said the H-Board approved the changes years ago, noting this work will be done at the downtown bus terminal.

Mr. Ives asked what is it that we are asking ourselves that we might need to do or should do.

Chair Eck said the Committee is being asked to provide guidance to Mr. Post so he can communicate correctly with his client, noting Mr. Post has indicated that he does not think monitoring is necessary with any of the proposed activities. He said, however, monitoring and testing may well be in order to be done for later phases.

Mr. Ives said he cannot imagine a circumstance where failure to monitor any kind of disturbance of already disturbed soil would bring forth anything meaningful. He questioned where any random collection of artifacts which might be found would go.

Mr. Pierce asked Mr. Rash if they are going to do 4 bores.

Mr. Rasch said this is correct and he doesn't think the vertical boring could have an adverse effect.

Mr. Pierce said he believes this is correct, and even if you monitor the site, you aren't going to learn much.

Chair Eck said it would be more effective if these geotechnical bores could be done in areas where there are no previous ground disturbances.

## **G. MATTERS FROM THE COMMITTEE**

There were no matters from the Committee.

## H. ADJOURNMENT

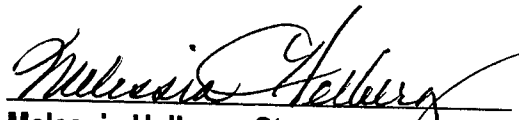
There was no further business to come before the Committee.

**MOTION:** Jake Ivey moved, seconded by Derek Pierce, to adjourn the meeting.

**VOTE:** The motion was approved unanimously on a voice vote, and the Committee was adjourned at approximately 5:30 p.m.

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David Eck, Chair



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Melessia Helberg, Stenographer