

DEADWOOD HISTORIC PRESERVATION COMMISSION

Tuesday, November 25, 2008 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to order – Chair Willie Steinlicht
2. Review minutes.
3. Voucher approval.
4. Old Business
 - a. 360 Main Street - New Construction - B.Y. Development, Inc.
 - b. Alltel Communications, Inc. - Cell Tower Construction - Ralph Wyngarden
5. New Matters before the Deadwood Historic District Commission
 - a. Slime Plant - Snow guards, chimney and staircase - Tentextkota, LLC
6. New matters before the Deadwood Historic Preservation Commission
 - a. 366 Williams Street - French Door - Moray Acquisitions
 - b. 10 Centennial Avenue - Windows - David Bosch
 - c. 74 Van Buren Avenue - Siding Program - Joan Berner
 - d. 28 Taylor Avenue - Window Program - Ron Underhill
 - e. 872 Main Street - Window Program - George & Lynn Milos
7. Revolving Loan Fund/Retaining Wall Program Update.
 - a. Retaining Wall Applications
 - b. Revolving loan disbursements
 - c. Retaining Wall disbursements
8. Items from Citizens not on agenda.
9. Committee Actions and Reports
10. Staff Report
11. Other business
12. Adjournment

**City of Deadwood
Historic Preservation Commission
Wednesday, November 25, 2008**

Present Historic Preservation Commission: Darin Derosier, Ronda Feterl, Mary Ann Oberlander, Mike Olsen, Steve Olson, Matt Pike and Willie Steinlicht.

Absent Historic Preservation Commission: Historic Preservation Officer, Kevin Kuchenbecker, was absent.

All motions passed unanimously unless otherwise stated.

A quorum being present, Chairman Willie Steinlicht, called the Deadwood Historic Preservation Commission meeting to order on Wednesday, November 25, 2008 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes

It was moved by Mr. S. Olson and seconded by Mr. Pike to approve the minutes from Wednesday, November 12, 2008. *Aye –Derosier, Feterl, Oberlander, S. Olson and Pike. Abstain – M. Olsen and Steinlicht. Motion carried.*

Voucher Approval

Operating Account:

It was moved by Mr. M. Olsen and seconded by Derosier to approve the HP Operating Account in the amount of \$45,781.07. Aye – Derosier, Feterl, Oberlander, M. Olsen, S. Olson and Pike. Abstain – Steinlicht. Motion carried.

Bonded Account:

None.

OLD BUSINESS

360 Main Street – New Construction – B.Y. Development, Inc.

Mr. M. Olsen and Mr. Steinlicht recused themselves from this agenda item.

Vice-Chairman, Darin Derosier, took over as chairman for this agenda item. Mr. Derosier explained that there were some issues from the previous meeting that needed to be clarified. *Mr. S. Olson moved and Ms. Feterl seconded to amend the motion from the last meeting to include the specifics in the facts and findings for Project Approval.* City Attorney, Jason Campbell, wanted to clarify that he had previously disseminated findings and conclusions for the Commission’s consideration, which are the findings Mr. S. Olson was referring to in his motion that was made at the last meeting. *Aye – Feterl, Oberlander, S. Olson and Pike. Nay – Derosier. Motion carried.*

Mr. S. Olson moved and Mr. Pike seconded to deny Project Approval for B.Y. Development, Inc. as presented based on the evidence in the Department of Interior Standards for Historic Preservation

Projects in 36 C.F.R. 67, with the finding being that the project is adverse to Deadwood. Mr. S. Olson also directed Mr. Campbell to provide the Commission with facts and findings on this motion. Aye – Feterl, Oberlander, S. Olson and Pike. Nay – Derosier. Motion carried.

Mr. M. Olsen and Steinlicht rejoined the meeting.

Alltel Communications, Inc. – Cell Tower Construction – Ralph Wyngarden

Mayor Toscana stated that he had talked to Mr. Kuchenbecker, who said Alltel is not ready and will not appear before the Commission until December 12, 2008. *It was moved by Mr. S. Olson and seconded by Ms. Feterl to continue this item for Alltel Communications, Inc. until December 12, 2008. Aye – All. Motion carried.* Derosier asked why this item was coming before the Historic Preservation Commission, to which Mayor Toscana stated it was because they needed a building permit.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

Slime Plant – Snow Guards, Chimney and Staircase – Tentexkota, LLC

Case No. 08103. Mayor Toscana read the staff report, which indicated the project does not encroach upon, damage or destroy any historic properties, nor does it have an adverse effect. *It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to grant a Certificate of Appropriateness to Tentexkota, LLC. for the addition of snow guards, a metal chimney and an exterior staircase at 30 Pine Street, and based on the evidence the project does not encroach upon, damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic Places; and therefore, moves to grant a Certificate of Appropriateness. Aye – All. Motion carried.* (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

366 Williams Street – French Door – Moray Acquisitions

Case No. 08098. Mr. M. Olsen explained that the portion on the side of the structure is actually an addition to the home, which currently has a full sliding door in it. He said they are planning to remove the slider door and replace it with a double French door, which will help tie the addition back into the main frame of the house. The staff report stated that it does not encroach upon, damage or destroy any historic property. *It was moved by Mr. M. Olsen and seconded by Ms. Feterl that based upon all the evidence presented, the finding is that this project does not encroach upon, damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic Places; and therefore, moves to grant Project Approval, provided that the replacement French doors are made of wood, to Moray Acquisitions at 366 Williams Street as presented in Case No. 08098. Aye – Derosier, Feterl, Oberlander, M. Olsen, S. Olson and Steinlicht. Abstain – Pike. Motion carried.* (The staff report is attached hereto on Exhibit B and incorporated herein by this reference.)

10 Centennial Avenue – Windows – David Bosch

Case No. 08099. Mr. M. Olsen explained that this is a noncontributing house and the applicant is requesting Project Approval to replace four (4) windows on the east side, three (3) on the west side and one (1) on the south side, with the new windows matching the existing newer windows already replaced. The staff report states that it does not encroach upon, damage or destroy any historic property, nor have an adverse effect on the National Landmark District. Ms. Feterl asked if part of the format for the Historic

Preservation Office is to ensure that no city ordinances are violated prior to coming before the Historic Preservation Commission. City Attorney, Jason Campbell, said that Mr. Kuchenbecker, as Historic Preservation Officer under city ordinance ensures compliance with city ordinances, as well as the zoning director; however, it does not have any effect on the issue presented. He said the Historic Preservation Commission could only penalize on a pertinent basis for violations of projects without a Certificate of Appropriateness or Project Approval. ***It was moved by Mr. M. Olsen and seconded by Mr. Derosier that based upon all the evidence presented, the finding is that the project does not encroach upon, damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic Places; and therefore, moves to grant Project Approval to David Bosch at 10 Centennial Avenue as presented in Case No. 08099. Aye – All. Motion carried.*** (The staff report is attached hereto on Exhibit C and incorporated herein by this reference.)

74 Van Buren Avenue – Siding Program – Joan Berner

Case No. 08100. Mr. Steinlicht explained that the applicant is requesting Project Approval to remove asbestos siding and replace it with lap siding at 74 Van Buren Avenue in the Ingleside Planning Unit in the City of Deadwood. He added that the staff report indicates that as proposed the project does not encroach upon, damage or destroy any historic property, nor does it have an adverse effect on the Deadwood National Landmark District or the National or State Register of Districts. In fact, the proposed project begins to reverse a previously inappropriate alteration. Furthermore, the applicant has applied to be entered into the Special Needs/Siding Removal program under the Deadwood Historic Preservation Commission’s Revolving Loan Program. Mr. Derosier asked if the home has to be contributing to qualify for the Siding Program, to which Ms. Feterl said it did, recalling that the Commission talked about changing it to provide an incentive. Joy McCracken stated that she thought it was changed, but will look back to make sure. Ms. McCracken also wanted to make it clear that they would just be entering into the program and they would still have to apply for the loan and must comply with all regulations. ***It was moved by Mr. Pike and seconded by Ms. Feterl that based upon all the evidence presented, the finding is that the project does not encroach upon, damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic Places; and therefore moves to grant Project Approval to Joan Berner at 74 Van Buren Avenue as presented in Case No. 08100. Aye – All. Motion carried.*** (The staff report is attached hereto on Exhibit D and incorporated herein by this reference.)

28 Taylor Avenue – Window Program – Ron Underhill

Case No. 08102. Mr. Steinlicht explained that the applicant is requesting Project Approval to install 14 wood storm windows on the exterior of the structure at 28 Taylor Avenue in the Ingleside Planning Unit in the City of Deadwood. He added that the building is a contributing resource in the Deadwood National Historic Landmark District and the National and State Historic Register Districts. It is significant for its historic association with the founding and initial period of growth of the town of Deadwood. This house displays the architectural characteristics common to working-class housing in pre-World War I Deadwood. As submitted, the project does not encroach upon, damage or destroy any historic property, nor does it have an adverse effect on the National Historic Landmark District or the National or State Historic Register Districts. Furthermore, the applicant has applied to be entered into the Special Needs/Wood Windows Program under the Deadwood Historic Preservation Commission’s Revolving Loan Program. ***It was moved by Ms. Oberlander and seconded by Mr. M. Olsen that based on the evidence presented, the finding is that the project does not encroach upon, damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic***

Places; and therefore, moves to grant Project Approval for Ron Underhill as presented in Case No. 08102 at 28 Taylor Avenue. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit E and incorporated herein by this reference.)

872 Main Street – Window Program – George & Lynn Milos

Case No. 08104. Mr. Steinlicht explained that the applicants are requesting Project Approval to replace four (4) wood windows at the front of the structure at 872 Main Street in the Upper Main Planning Unit in the City of Deadwood. The building is a contributing resource in the Deadwood National Historic Landmark District and the National and State Historic Register Districts. It is significant for its historic association with the growth and economic activity that took place in Deadwood in the Northern Black Hills from the late 1920s until World War II. As submitted, the proposed project does not encroach upon, damage or destroy any historic property, nor does it have an adverse effect on the Deadwood National Historic Landmark District or the National or State Historic Register Districts. Furthermore, the applicant has applied to be entered into the Special Needs/Wood Windows program under the Deadwood Historic Preservation Commission’s Revolving Loan Program. ***It was moved by Derosier and seconded by Ms. Feterl that based upon all the evidence presented, the finding is that the project does not encroach upon, damage or destroy historic properties included in the National Register of Historic Places or the State Register of Historic Places; and therefore, moves to grant Project Approval for George and Lynn Milos at 872 Main Street. Aye – Derosier, Feterl, Oberlander, M. Olsen, S. Olson and Steinlicht. Abstain – Pike. Motion carried.***

Revolving Loan

Revolving Loan Fund Cash Disbursements

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the Historic Preservation Revolving Loan Fund Cash Disbursements in the amount of \$29,417.29. Aye – All. Motion carried.

Retaining Wall Grant Disbursement

Joy McCracken explained the two Retaining Wall Grant Disbursements to Lehman Construction; 65 Forest – Hoines in the amount of \$5,188.35 and 45-47 Forest – Thompson in the amount of \$17,160.00. ***It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to approve the retaining wall grant disbursements in the amount of \$22,348.35.***

Revolving Loan Report

Ms. Joy McCracken explained the financial report and the delinquency report for Revolving Loan.

Items from Citizens Not on Agenda:

None.

20-Year Deadwood Gaming Committee

Mr. Steinlicht reported that George Milos, from the Deadwood Chamber of Commerce, is looking for volunteers to serve on the 20-Year Deadwood Gaming Committee.

Committee Actions and Reports:

Archeology: Commission representatives: Mike Olsen (chair), Darin Derosier and Willie Steinlicht
No report.

Archives: Commission representatives: Mike Olsen (chair), Steve Olson, and Matthew Pike
No report.

Budget: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht.
No report.

Cemetery: Commission representatives: Steve Olson (chair), Mary Ann Oberlander and Matthew Pike
No report.

GIS: Commission representatives: Steve Olson (chair), Mary Ann Oberlander, and Matthew Pike
No report.

Grants, Recognition, Advocacy & Public Education: Commission representatives: Ronda Feterl (chair), Willie Steinlicht and Mary Ann Oberlander.
No report.

Loans: Commission representatives: Ronda Feterl (chair), Willie Steinlicht and Darin Derosier.
No report.

Adams Museum: Commissioner Mary Ann Oberlander.
Ms. Oberlander reported that Mary Kopco is working on the budget.

Chamber of Commerce: Commissioners Willie Steinlicht and Darin Derosier.
Mr. Derosier reported that the Chamber of Commerce has approved their 2009 Budget.

Days of '76: Commissioner Steve Olson.
Mr. S. Olson reported that the Days of '76 committee members are still working at the museum on their space assessment for the new building. He also reminded everyone about the letter received from the State Historic Preservation Office on the remains that were found behind the retaining wall and that a meeting is set for December 16, 2008 at 9:00 am at the SARC Building in Rapid City.

Neighborhood Housing Services: Commissioner Willie Steinlicht.
No report.

Planning and Zoning: Commissioner Mike Olsen.
Mr. M. Olsen reported that at the last Planning and Zoning meeting they approved a projecting sign at 612 Main Street, which complies with the sign ordinance.

Demolition By Neglect: Commissioner Matthew Pike (chair) and Steve Olson.
No report.

Policies and Procedures: Commission representatives: Matthew Pike (chair) plus entire HPC
Mr. Pike set a meeting for December 9th, 2008 at 5:00 pm in the Century Room.

Historic Preservation Staff:
No report.

Other Business:

Mr. Steinlicht asked about the information in the packets regarding Demolition by Neglect; the Frontier Club and the Syndicate building. He also mentioned that something should be done about the three houses Blake Haverberg owns.

Mayor Toscana announced that Mary Kopco has been working on extra funds to finish the HARC Project.

Adjournment:

Hearing no further business to come before the Commission at this time and no objections from the Commission or the audience, Chairman Willie Steinlicht adjourned the meeting at 5:45 pm.

ATTEST:

Willie Steinlicht
Chairman, Historic Preservation Commission
Ronda Morrison, Recording Secretary