

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, June 8, 2011 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order– Vice Chair Ronda Feterl
2. Election of Officers
3. Approval of Minutes
4. Voucher Approval
5. Old or General Business
 - a. Committee Assignments – Historic Preservation Office
 - b. Installation of Methodist Church Bell – Historic Preservation Office
 - c. Display Panels for Railroad Interpretation at Baggage Room – Historic Preservation Office
 - d. Water Street Update – Historic Preservation Office
 - e. Set dates for 2012 Budget meeting(s) – Historic Preservation Office
6. New Matters before the Deadwood Historic District Commission
 - a. Case# 11025 – 753 Main Street – Fence – Northern Hills Alliance for Children
7. New Matters before the Deadwood Historic Preservation Commission
 - a. Case# 11023 – 59 Van Buren – Addition of roof over deck – Jeff Trouton
 - b. Case# 11024 – 53 Taylor Street – Siding – John & Sharon Martinisko
 - c. Case# 11026 – 5 Harrison – Siding – Patricia Sherman
8. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - i. 16 Washington Street – Mike Sneesby – *to be continued until 6-22-11*
 - b. Revolving loan Program/Disbursements
 - i. James & Donna Fletcher – 350 Williams Street
 - c. Retaining Wall Program/Disbursements
9. Items from Citizens not on agenda (*Items will be considered but no action will be taken at this time.*)
10. Staff Report (*Items will be considered but no action will be taken at this time.*)
11. Committee Reports (*Items will be considered but no action will be taken at this time.*)
12. Other business
13. Adjournment

CITY OF DEADWOOD

HISTORIC PRESERVATION COMMISSION

Wednesday, June 8, 2011

Present Historic Preservation Commission: Ronda Feterl, Mike Olsen, Steve Olson, Matt Pike, Willie Steinlicht, Laura Floyd, and George Milos. Historic Preservation Officer Kevin Kuchenbecker was also present.

Absent Historic Preservation Commission: None.

Present Deadwood City Commission: Commissioners Georgeann Silvernail and Jim Van Den Eykel.

All motions passed unanimously unless otherwise stated.

A quorum being present, Vice-Chairman Ronda Feterl called the Deadwood Historic Preservation Commission meeting to order on Wednesday, June 8, 2011 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Election of Officers

It was moved by Mr. Pike and seconded by Mr. M. Olsen to nominate Ms. Feterl as Chairman of the Deadwood Historic Preservation Commission.

Hearing no other nominations from the Commission, it was moved by Mr. Pike and seconded by Mr. M. Olsen to close nominations for the Deadwood Historic Preservation Commission Chair. Aye – All. Motion carried.

Aye – All. Motion carried to approve the nomination of Ms. Feterl as Chairman of the Deadwood Historic Preservation Commission.

It was moved by Mr. Steinlicht and seconded by Mr. M. Olsen to nominate Mr. Pike as Vice-Chairman of the Deadwood Historic Preservation Commission.

Hearing no other nominations from the Commission, it was moved by Mr. Steinlicht and seconded by Mr. M. Olsen, to close nominations for the Deadwood Historic Preservation Commission Vice-Chair. Aye – All. Motion carried.

Aye – Milos, Floyd, Feterl, M. Olsen, S. Olson, and Steinlicht to approve the nomination of Mr. Pike as Vice-Chair of the Historic Preservation Commission. Abstain – Pike. Motion carried.

Review Minutes

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the minutes of May 25, 2011. Aye – All. Motion carried.

Voucher Approval

Operating Account:

It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to approve the HP Operating Account in the amount of \$170,484.05. Aye – All; however, Mr. S. Olson abstained from item 01-3043, reimbursement to Mr. S. Olson for travel expenses to the South Dakota State Historical Society Conference. Motion carried.

Bonded Account:

It was moved by Mr. M. Olsen and seconded by Mr. Pike to approve the HP Bonded Account in the amount of \$157,455.31. Aye – All. Motion carried.

OLD OR GENERAL BUSINESS

Committee Assignments – Historic Preservation Office

Mr. Kuchenbecker stated he would work with Chairman Feterl to determine committee assignments for the upcoming year. Upon completion, he stated he would let the Commission know of their assignments.

Installation of Methodist Church Bell – Historic Preservation Office

Mr. Kuchenbecker stated the Deadwood Historic Preservation Office desires to restore and install the original bell for the Methodist Church in the skeleton of the steeple at the Methodist Memorial Park located on the corner of Williams and Shine. He noted for the past eight years the bell has been located in cold storage. Mr. Kuchenbecker explained the bell, which weighs 750 pounds and is 36”, was from the Blymyer Bell Manufacturing Company in Cincinnati, Ohio and arrived in Deadwood on August 17, 1885. Mr. Kuchenbecker stated the Historic Preservation Office is proposing to have HCW Construction restore the bell and hardware and build framework to install the bell in the tower at the Methodist Memorial Park in an amount not to exceed \$2,408.17. Mr. Kuchenbecker explained costs for the project would come out of the budgeted Capital Assets line item and that staff recommended approval. Mr. M. Olsen asked if the bell would be functional. Mr. Kuchenbecker explained there would be a wheel so a rope could be added which would allow for future ringing of the bell; however, it would not be set up to ring in order to avoid a possible public nuisance. *It was moved by Mr. S. Olson and seconded by Mr. Steinlicht to recommend to the City Commission approval of the expenditure of up to \$2,408.17 from budgeted Capital Assets for the restoration and installation of the Methodist Church Bell at the Methodist Memorial Park. Aye – All. Motion carried.*

Display Panels for Railroad Interpretation at Baggage Room – Historic Preservation Office

Mr. Kuchenbecker explained the Deadwood Historic Preservation Office desires to have six single-sided display panels created and installed by Flat Earth Design for the Baggage Room at the Deadwood Information Center located at 3 Siever Street. The panels would interpret Deadwood and the surrounding area’s railroad history. Mr. Kuchenbecker stated these panels would be similar to the panels located at Mt. Moriah Cemetery Visitor’s Center. Mr. Kuchenbecker also noted the physical construction of the panels would allow for flexibility in changing the interpretation in the future. Mr. Kuchenbecker stated the money for this project would come from the Public Education line item of the 2011 Deadwood Historic Preservation Commission budget in an amount not to exceed \$5,400. Mr. Kuchenbecker noted there would be a need for security cameras in the baggage room once it is open to the public. Mr. Milos asked Mr. Kuchenbecker if the baggage room would be locked after hours. Mr. Kuchenbecker stated it would be. *It was moved by Mr. M. Olsen and seconded by Mr. Pike to recommend to the City Commission the authorization of entering into a contract with Flat Earth Design for the creation of six single-sided display panels to be used in the baggage room at*

the Deadwood Information and Visitor's Center in an amount not to exceed \$5,400 from Public Education. Aye – All. Motion carried.

Water Street Update – Historic Preservation Office

Mr. Kuchenbecker gave an update to the Commission on the proposed Water Street improvements which came out of the Safety Commission's desire to promote pedestrian and vehicular safety. He explained the parameters of the project would be from the Deadwood Mt. Grand parking ramp to Deadwood Home Center bordered by Whitewood creek and Sherman Street. Mr. Kuchenbecker stated two public meetings had been held for input on the project. In the first meeting, the public put dots on areas they liked, disliked, and were unsure of. From this, Four Front Design, out of Rapid City, redrew plans to better incorporate these public likes, dislikes, and concerns. Mr. Kuchenbecker stated the proposed 4.5 million dollar project would include a pedestrian sidewalk from the Deadwood Mt. Grand Parking Ramp to the Sherman Parking lot. A new Trailhead for the Mickelson would also be created as the old Trailhead was lost with the sale of the Engine House. Mr. Kuchenbecker explained there would also be parking restriping and they would be looking at alternative parking for larger vehicles in order to maximize the number of small vehicle spaces in the Sherman Street Parking Lot. He stated the project would also include creek beautification and the creation of a park-like environment. Mr. Kuchenbecker stated these improvements would be paid for with budgeted City money, transportation enhancement grants, and a new historic preservation bond package. Mr. Kuchenbecker stated he would keep the Commission updated as the plan progresses. Mr. S. Olson asked how the project would impact the residents on Water Street. Mr. Kuchenbecker stated in his opinion it would positively impact these residents.

Set Dates for 2012 Budget Meeting(s) – Historic Preservation Office

The Historic Preservation Commission set their annual budget meeting for July 12 and July 14, if needed, at 7:00 am.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

Case# 11025 – 753 Main Street – Fence – Northern Hills Alliance for Children

Mr. Pike and Ms. Floyd recused themselves and left the meeting.

Mr. Kuchenbecker stated the Northern Hills Alliance for Children were requesting a Certificate of Appropriateness for exterior work at 753 Main Street a non-contributing structure located in the Deadwood City Planning Unit in the City of Deadwood. He explained the applicants were requesting permission to install a fence, up to 6' high, on a low profile concrete wall, which was installed by the City, in order to prevent children from climbing, per state licensing standards, along the concrete wall on the back of the child care building. Mr. Kuchenbecker stated the fence would be 17' x 50' with space on each end for parking. Mr. Kuchenbecker explained he had worked with the applicants, who had originally requested the use of chain link fencing, to come up with an alternative material, an aluminum 3 rail design. Mr. Kuchenbecker stated the applicants were also requesting permission to lay down dark green, rubber matting to prevent falling injuries. Mr. Kuchenbecker stated the State and Staff agreed the project, as revised, does not encroach upon, damage or destroy a historic resource nor does it have an adverse effect on the historic character of the local historic district, the State and National Historic Register Districts, or the Deadwood National Historic Landmark District and recommended approval. Mr. Kuchenbecker noted he would work with the Parking and Transportation Committee to see if the concrete wall could be stone faced in order to fit the Downtown Design Guidelines. The applicant was present to answer any questions. *It was moved by Mr. S. Olson and seconded by Mr. M. Olsen based upon the guidance found in DCO 17.68.050, the finding was that the exterior alteration proposed is congruous with the historical, architectural, and archaeological or cultural aspects of the district*

and moved to grant a Certificate of Appropriateness for 753 Main Street Case# 11025 for the Northern Hills Alliance for Children. Aye – Milos, Feterl, M. Olsen, S. Olson, and Steinlicht. Motion carried. (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

Mr. Pike and Ms. Floyd returned to the Meeting.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

Case# 11023 – 59 Van Buren – Addition of Roof over Deck – Jeff Trouton

Mr. Kuchenbecker stated the applicant was requesting a Project Approval for work at 59 Van Buren a contributing structure located in the Ingleside Planning Unit in the City of Deadwood. Mr. Kuchenbecker stated the applicant was requesting permission to add a 6' x 22' roof over the existing deck and work had already commenced on the deck prior to the issuance of a building permit or project approval. Mr. Kuchenbecker noted a project approval had been issued on January 9, 2008 for an addition to the uphill side of the resource. He explained the addition was slightly set back from the original structure and located on an inconspicuous side of the resource; therefore, it did not drastically alter the primary view of the contributing structure and was deemed to meet the Secretary of Interior's Standards for Rehabilitation. Mr. Kuchenbecker explained his concerns about the current project. He stated the proposed construction may alter the original resource enough for it to be considered non-contributing in the future. By eroding the percentage of contributing vs. non-contributing resources in the historic districts, Deadwood's listing on the National Landmark of Historic Places may potentially be negatively impacted. He stated it was his belief the proposed work and changes do encroach upon, damage, or destroy a historic resource and do have an adverse affect on the character of the building; however, it may not have an overall adverse affect on the historic character of the State and National Historic Districts or the Deadwood National Historic Landmark District based upon its location in the district. Mr. Kuchenbecker stated the State concurred with this assessment. Mr. Kuchenbecker added if the Commission granted a project approval the applicant would be subject to an investigation fee and would be required to pay for a building permit; if the Commission denied the project, the applicant would be forced to remove the alteration and would still be subject to the investigation fee.

Mr. S. Olson asked if the property had ever had an L-shaped porch. Mr. Kuchenbecker stated he did not believe it did. Ms. Feterl asked how long the work had been completed. Mr. Kuchenbecker stated while a lot of work had been done, the project was not completely finished. Mr. Pike asked if the applicant was aware of the recommendation and meeting. Mr. Kuchenbecker stated the applicant was aware of the meeting. Mr. Pike asked what indications make it a Craftsman Style home. Mr. Kuchenbecker stated the prominent front gables evident in the original resource along with the architectural brackets and the four over one double hung windows. Mr. Pike asked Mr. Kuchenbecker if the proposed porch was inconsistent with the Craftsman Style of the house. Mr. Kuchenbecker stated in his opinion it was as it adds horizontal elements that chop up the front of the resource. Mr. Pike questioned if this alteration may lead to the home becoming non-contributing in the future. Mr. Kuchenbecker stated he believed it might.

Mr. Van Den Eykel asked if realtors in Deadwood have homeowners sign a document indicating a home may be contributing or non-contributing. Deb Fegueroa stated that they do not. Mr. Van Den Eykel stated his point was these rules may not be fair to property owners who purchase a home and are not made aware of the City's guidelines. Also he was not sure how much could be done once a project had already started. Mr. Kuchenbecker stated while he saw Mr. Van Den Eykel's point the applicant, in this case, had come before the Commission for two prior project approvals so he was aware of the process. Mr. Pike stated the process for requesting a building permit is nearly universal in this country. Therefore, while it may be unfortunate,

homeowners would be made aware of the City's requirement for project approval when they come into receive a building permit. He also noted Mr. Kuchenbecker has done a very good job of making residents aware of the City's processes. Mr. Kuchenbecker stated that many of the realtors do a very good job of informing buyers of the City's guidelines and rules.

Mr. M. Olsen stated it was time for Historic Preservation to really start promoting their programs to new homeowners. Mr. Milos said the Chamber could send this information with relocation packets. Mr. Kuchenbecker stated the HP Office had already put this information together for a past Symposium; therefore, it would be easy to get this information together. He reiterated many realtors call and ask what programs are available to potential homebuyers in Deadwood.

Mr. Pike asked if it would be possible for the City Commission to adopt an ordinance which would require realtors to disclose this information. Ms. Silvernail stated she did not believe this was possible. Deb Fegueroa said she believed this could maybe be done through the state.

Mr. Milos stated he believed it was important to work with applicants; however, he noted the applicant had come before the Commission two other times; therefore, the applicant was aware of the process. Mr. M. Olsen stated it concerned him that this project may make the house non-contributing. ***It was moved by Mr. M. Olsen and seconded by Mr. Pike based upon all the evidence presented, the finding was the project does encroach upon, damage, or destroy a historic property included in the national register of historic places or the state register of historic places. Aye – All. Motion carried.***

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson based upon the guidance in the U.S. Department of the Interior standards for historic preservation projects 36 C.F.R. 67 the finding was the project is adverse to Deadwood and moved to deny the project as present. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit B and incorporated herein by this reference.)

Mr. Kuchenbecker stated staff would work with Mr. Jason Campbell, City Attorney, based on the Commission's findings to have the applicant remove the alteration.

Case# 11024 – 53 Taylor Street – Siding – John & Sharon Martinisko

Mr. Kuchenbecker stated the applicant had submitted an application for Project Approval for work at 53 Taylor Street a contributing structure located in the Ingleside Planning Unit in the City of Deadwood. He explained the applicant was requesting permission to remove the existing 12" lap siding and replace it with fiber cement siding. He noted the proposed siding will be 8" which allows for approximately 6 ½ exposed space. Mr. Kuchenbecker stated the proposed siding will be pre-painted with a historically accurate color. Mr. Kuchenbecker stated staff's opinion was the proposed changes do not encroach upon, damage, or destroy a historic resource nor have an adverse effect and recommended approval. The applicant, John Martinisko, explained they had done the windows and realized how bad the siding was. Mr. M. Olsen stated the proposed siding will help the home look even more authentic. ***It was move by Mr. M. Olsen and seconded by Mr. Steinlicht based upon all the evidence presented the finding was the project does not encroach upon, damage, or destroy any historic property included in the national register of historic places of the state register of historic places and moved to grant a project approval to Case# 11024, 53 Taylor Street, John and Sharon Martinisko. Aye – All. Motion Carried.*** (The staff report is attached hereto on Exhibit C and incorporated herein by this reference.)

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to accept Mr. John and Sharon Martinisko into the Special Needs Siding Removal Program. Aye – All. Motion carried.

Case# 11026 – 5 Harrison – Siding – Patricia Sherman

Mr. Kuchenbecker stated the applicant was requesting a project approval for work at 5 Harrison Street a contributing structure located in the Ingleside Planning Unit in the City of Deadwood. Mr. Kuchenbecker explained the applicant was requesting permission to replace storm damaged aluminum siding which is no longer available with 4 inch lap fiber cement siding with composite no paint trim on both the house and garage. Mr. Kuchenbecker added the applicant wishes to replace existing storm windows with energy efficient storms and desires acceptance into the window program. Mr. Kuchenbecker added the applicant did not desire to enter into the siding removal program. Mr. Kuchenbecker stated staff had worked with the insurance company to come up with a siding material that both the City and company deemed acceptable. Mr. Kuchenbecker concluded the proposed work and changes do not encroach upon, damage or destroy a historic resource and do not have an adverse effect. *It was moved by Mr. Steinlicht and seconded by Mr. M. Olsen based upon all evidence presented, the finding was 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 moved to grant a project approval to Case# 11026, 5 Harrison, for Patricia Sherman. Aye – All. Motion Carried.* (The staff report is attached hereto on Exhibit D and incorporated herein by this reference.)

It was moved by Mr. Steinlicht and seconded by Mr. S. Olsen to accept Patricia Sherman into the Special Needs Wood Window Program. Aye – All. Motion carried.

REVOLVING LOAN FUND/RETAINING WALL PROGRAM UPDATE:

Retaining Wall Application – 16 Washington Street – Mike Sneesby

Mr. Kuchenbecker explained it would be necessary to continue the application for 16 Washington Street until he was able to speak with the applicant. *It was moved by Mr. Pike and seconded by Mr. M. Olsen to continue the application for 16 Washington Street until the June 22, 2011 Historic Preservation Commission Meeting. Aye – All. Motion carried.*

Loan Request – James & Donna Fletcher – 350 Williams Street

Ms. McCracken explained the Fletcher's are restoring the structure located at 350 Williams and are requesting a life-safety loan for electrical, heating, and foundation work. Ms. McCracken noted the loan was favorably reviewed by the loan committee and Mr. Keith Umentum, building inspector, concurred the project is a life-safety matter. *It was moved by Mr. M. Olsen and seconded by Mr. Pike to approve a \$25,000 life-safety loan at 0% interest for James and Donna Fletcher for 350 Williams Street. Aye – All. Motion carried.*

Revolving Loan Fund – Cash Disbursements

No disbursements.

Financial and Delinquency Report

Ms. McCracken reviewed the delinquency report.

STAFF REPORT

Historic Preservation Staff: Kevin Kuchenbecker, HP Officer; Michael Runge, Archivist; Deanna Berglund, Administrative Assistant; Virginia Peterson, Administrative Assistant.

HPC Meeting
Wednesday, June 8, 2011

Mr. Kuchenbecker reported on the following:

He noted the Siding Program Specifications that he and Mr. Umenthum had created. Mr. Pike asked if these requirements needed formal approval. Mr. Kuchenbecker stated he would put them on the agenda for June 22, 2011.

He stated work was progressing on the Pineview building and the masonry work was almost complete.

Mr. Kuchenbecker stated the Deadwood Mt. Grand was progressing and they are still scheduled for a July 1, 2011 opening.

He noted progress is being made at the Days of '76 Museum.

Mr. Kuchenbecker reminded everyone of the HARCC Grand Opening on June 16, 2011.

He stated Archaeology camp would be starting the following week and would serve 65 area youth over the course of the next three weeks.

Mr. Kuchenbecker noted the Library would be hosting an exhibit on Cowboy Singers in South Dakota and the project had been funded by an Outside of Deadwood Grant.

Mr. Kuchenbecker noted QR Codes would be added to the Slime Plant's interpretive panels.

COMMITTEE REPORTS:

Policies & Procedures: Commission representatives: Entire HPC.

The Commission set a Policies and Procedures meeting for June 29, 2011 at 7:00 am at Deadwood City Hall. Mr. Pike asked Mr. Kuchenbecker to notify the press. Ms. Feterl asked Ms. Virginia Peterson, HP Administrative Assistant, to send an email reminder to the Commission.

Ms. Feterl acknowledged a thank you letter from the South Dakota State Historical Society for the Historic Preservation Commission's sponsorship of their annual conference. She noted there had been 167 registrants. (The letter is attached hereto on Exhibit E and incorporated herein by this reference).

ADJOURNMENT:

Hearing no further business to come before the Commission at this time and no objections from the Commission or the audience, Chairman Feterl adjourned the meeting at 6:10 p.m.

ATTEST:

Ronda Feterl
Chairman, Historic Preservation Commission
Virginia Peterson, Recording Secretary