

**DEADWOOD HISTORIC PRESERVATION COMMISSION**

**Wednesday, August 29, 2012 ~ 5:00 p.m.**

City Hall, 108 Sherman Street, Deadwood, South Dakota

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1. Call meeting to Order
2. Approval of Minutes
3. Voucher Approval
4. Old or General Business
  - a. Case# 12037 – 366 & 370 Main Street – Landscaping & Parking – Optima, LLC.
  - b. SDSHS Budget Hearing for DHPC – September 7, 2012
5. New Matters before the Deadwood Historic District Commission
  - a. Case# 12039 – 650 Main Street – Awning, Paint, Windows & Cornice – Dale & Susan Berg
  - b. Case# 12040 – 760 Main Street – Windows & Garage Door – Catholic Diocese of Rapid City
  - c. Case# 12042 – 784 Main Street – Porch – Lester Karas
6. New Matters before the Deadwood Historic Preservation Commission
  - a. Case# 12041 – 6 Dudley – Side Deck – Mike Berg
  - b. Donations #2012.09 and #2012.10 – Mike Runge
7. Revolving Loan Fund/Retaining Wall Program Update
  - a. Retaining Wall Applications
  - b. Revolving loan Program/Disbursements
    - i. 87 Sherman Street – Mike & Cheryl Chaput
  - c. Retaining Wall Program/Disbursements
8. Items from Citizens not on agenda (*Items will be considered but no action will be taken at this time.*)
9. Staff Report (*Items will be considered but no action will be taken at this time.*)
10. Committee Reports (*Items will be considered but no action will be taken at this time.*)
11. Other business
12. Adjournment

*\*All Applications **MUST** arrive at the City of Deadwood Historic Preservation Office by 5:00 p.m. MST on the 1<sup>st</sup> or 3<sup>rd</sup> Wednesday of every month in order to be considered at the next Historic Preservation Commission Meeting.*

**CITY OF DEADWOOD**  
**HISTORIC PRESERVATION COMMISSION**

**Wednesday, August 29, 2012**

**Present Historic Preservation Commission:** Chair, Matt Pike, Vice-Chair, Willie Steinlicht, Lynn Namminga, Anita Hansen, and Steve Olson. Historic Preservation Officer, Kevin Kuchenbecker, and City Attorney, Jason Campbell were also present.

**Absent:** George Milos and Laura Floyd.

**Present Deadwood City Commission:** Mayor Francis Toscana and Commissioner Georgeann Silvernail.

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**All motions passed unanimously unless otherwise stated.**

A quorum present, the Historic Preservation Commission Chair, Matt Pike, called the Deadwood Historic Preservation Commission meeting to order on Wednesday, August 29, 2012 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

**Approval of Minutes:**

*It was moved by Mr. Steinlicht and seconded by Mr. Olson to approve the Minutes of Wednesday, August 15, 2012 as presented. Aye – All. Motion carried.*

**Voucher Approval:**

Operating Account

*It was moved by Mr. Steinlicht and seconded by Ms. Hansen to approve the HP Operating Account in the amount of \$176,585.92. Aye – All. Motion carried.*

Bonded Account

*It was moved by Mr. Olson and seconded by Mr. Steinlicht to approve the HP Bonded Account in the amount of \$3,350.00. Aye – All. Motion carried.*

**Old or General Business:**

Case# 12037 – 366 & 370 Main Street – Landscaping & Parking – Optima, LLC

*A few minutes into discussion, Commissioner Olson was excused for the remainder of the meeting.*

Mr. Kuchenbecker noted Paul and Tom Bradsky and Bob Brandt were present to answer any questions about the proposed project. He explained he had been working with the applicant to come up with a landscaping plan that may assist to mitigate the damage caused by the creation of a parking area around 366 and 370 Main Street. He noted, at the last meeting, shrubbery had been proposed to soften the look of parking in this area. Mr. Kuchenbecker said Optima, LLC had originally proposed the use of faux shrubbery in front of these resources

as well as in front of the lots located between the Real Estate Center and Wayne Morris' residences; however, he and Optima LLC had decided this option would not work. Mr. Kuchenbecker said the applicants are requesting permission to plant a Cotoneaster variety hedge, that will start out at 18" to 24" tall and will be planted a maximum of 2 feet apart along the street in front of the lots with approximately 3' of landscape rock behind the hedge, install a historical marker, which staff will work with the applicant to create, plant 8 shrubs and place landscape rock in front of the Fountain and Shea houses, and pour a colored concrete sidewalk from the front porch of 370 Main Street (Fountain House) to Main Street. Ms. Hansen asked who would be responsible for the costs associated with these proposed mitigation efforts. Mr. Kuchenbecker said Optima LLC would be responsible. Ms. Hansen also questioned how the proposed plants would be watered. Mr. Paul Bradsky explained they would be running a drip from the Fountain House to the shrubs in front of the Shea and Fountain Houses. He said the problem will be the shrubbery between the Real Estate Center and Wayne Morris' residences. Consequently, he noted those shrubs will have to be watered by Optima LLC groundskeepers and will be more problematic. Ms. Hansen said she wanted a guarantee, for the record, that Optima LLC would do everything possible to keep the shrubbery alive. Mr. Paul Bradsky assured the Commission that Optima LLC would do everything possible to maintain the shrubbery and noted they would more than likely receive notice in the mail from the City if they tried to do otherwise. ***It was moved by Mr. Steinlicht and seconded by Ms. Hansen, based upon the evidence presented, that this project DOES encroach upon, damage, or destroy 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. Steinlicht and seconded by Mr. Namminga, based upon the guidance in the U.S. Department of the Interior standards for historic preservation projects in 36 C.F.R. 67, that the project is ADVERSE to Deadwood, but the applicant has explored ALL REASONABLE AND PRUDENT ALTERNATIVES, and moved to grant a project approval to Case# 12037, 366 & 370 Main Street, Optima LLC for mitigation efforts that will include: planting a Cotoneaster variety hedge that will start out at 18" to 24" tall and will be planted 2 feet apart along Main Street in front of 366 & 370 Main Street as well as in front of the lots located between Wayne Morris' property and the Real Estate Center, placing approximately 3' of landscape rock behind the hedge, working with staff to develop a historical marker for the Fountain House, planting 8 shrubs and placing landscape rock in front of the Fountain and Shea houses, and pouring a colored concrete sidewalk from the front porch of 370 Main Street, Fountain House, to the Main Street . Aye – All. Motion carried.*** Approval was granted contingent upon the applicants' agreement to maintain the landscaping. (The Staff Report is attached hereto on Exhibit A and incorporated herein by this reference.) Mr. Pike thanked the Bradskys for working with the Commission and Mr. Kuchenbecker.

#### SDSHS Budget Hearing for DHPC – September 7, 2012

Mr. Kuchenbecker said the South Dakota State Historic Society Board of Trustees is having their regularly scheduled meeting on Friday, September 7, 2012 at the SD Heritage Center in Pierre. He stated the Deadwood Historic Preservation budget will be presented at this time for the Board's review. Mr. Kuchenbecker asked interested Commissioners to let the HP Office know as soon as possible if they plan to attend. Mr. Pike said he plans on attending the meeting barring any unforeseen events.

#### New Matters before the Deadwood Historic District Commission

##### Case# 12039 – 650 Main Street – Awning, Paint, Windows & Cornice – Dale & Susan Berg

Mr. Kuchenbecker noted the applicant, Dale Berg, was present to answer any questions. He reviewed his Staff Report for permission to a) repair existing aluminum canopy, b) paint the exterior of the building to match

original color of red brick, c) paint and repair windows on upper level, d) possibly add a cornice to the top of the storefront, and e) possibly replace the existing canopy with canvas awning as submitted. Mr. Kuchenbecker noted d) and e) should not be considered as a part of this application. He explained that these items would come in at another time for approval if the applicant so chooses to seek approval for this portion of the project. (The Staff Report is attached hereto on Exhibit B and incorporated herein by this reference.) ***It was moved by Mr. Steinlicht and seconded by Mr. Namminga, based upon the guidance found in DCO 17.68.050, that the exterior alteration proposed is congruous with the historical, architectural, archaeological or cultural aspects of the district and moved to grant a Certification of Appropriateness to Case# 12039, 650 Main Street, Dale and Susan Berg as submitted for items a, b, and c. Aye – All. Motion carried.***

Case# 12040 – 760 Main Street – Windows & Garage Door – Catholic Diocese of Rapid City

Mr. Kuchenbecker noted Mr. Jerry Apa was present to answer any questions. He reviewed his Staff Report for permission to replace aluminum combination storm windows with brown colored aluminum combination windows and replace a deteriorating garage door with a four panel door as submitted. (The Staff Report is attached hereto on Exhibit C and incorporated herein by this reference.) ***It was moved by Mr. Steinlicht and seconded by Ms. Hansen, based upon the guidance found in DCO 17.68.050, that the exterior alteration proposed is congruous with the historical, archaeological, architectural, or cultural aspects of the district and moved to grant a Certification of Appropriateness to Case# 12040, 760 Main Street, Catholic Diocese of Rapid City as submitted. Aye – All. Motion carried.***

Case# 12042 – 784 Main Street – Porch – Lester Karas

Mr. Kuchenbecker reviewed his Staff Report for permission to repair and or replace a cracking and rotten front porch as submitted. (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. Namminga, based upon the guidance found in DCO 17.68.050, that the exterior alteration proposed is congruous with the historical, architectural, archaeological, or cultural aspects of the district, and moved to grant a Certification of Appropriateness to Case# 12042, 784 Main Street, Lester Karas as submitted. Aye – All. Motion carried.***

New Matters before the Deadwood Historic Preservation Commission

Case# 12041 – 6 Dudley – Side Deck – Mike Berg

Mr. Kuchenbecker noted the applicant was present to answer any questions. He reviewed his Staff Report for permission to install a new deck which will be approximately 14' x 20' constructed from primed and painted (green) pine. (The Staff Report is attached hereto on Exhibit E and incorporated herein by this reference.) Mr. Pike asked if the front deck would be attached to the proposed deck. Mr. Berg said it would be connected. ***It was moved by Mr. Steinlicht and seconded by Ms. Hansen, based upon all the evidence presented, 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 moved to grant a project approval to Case# 12041, 6 Dudley, Mike Berg as submitted. Aye – All. Motion carried.***

Donations #2012.09 and #2012.10

Mr. Kuchenbecker explained the City of Deadwood – Archives is requesting permission to formally accept multiple photographs and slides taken in and around Deadwood donated by Lynn Namminga and two switch keys and eight date nails from the Chicago North Western Railroad donated by Keith Shostrom. He noted the Archaeology, Archives, and Acquisitions (AAA) Committee had reviewed and recommended accepting the

request. (The Memorandum, dated August 21, 2012, is attached hereto on Exhibit F and incorporated herein by this reference.) *It was moved by Mr. Steinlicht and seconded by Ms. Hansen to formally accept the photographs and railroad donations into the City's permanent collection as recommended by the AAA Committee. Aye – All. Motion carried.*

### **Revolving Loan Fund:**

#### HP Revolving Loan Disbursement

*It was moved by Mr. Namminga and seconded by Mr. Steinlicht to approve the HP Revolving Loan Disbursement as presented in the amount of \$22,277.51. Aye – All. Motion carried.*

#### Financial and Delinquency Report

Ms. McCracken reviewed the financial and delinquency report.

#### 87 Sherman – Mike and Cheryl Chaput

*It was moved by Mr. Steinlicht to approve the loan for Mike and Cheryl Chaput, 87 Sherman Street, as presented.* This motion died due to a lack of a second.

After discussion, *it was moved by Mr. Steinlicht and seconded by Ms. Hansen to continue the item until it could be reviewed by the full Commission.* (The NeighborWorks Report dated, August 24, 2012, is attached hereto on Exhibit G and incorporated herein by this reference.)

### **Items from Citizens not on the Agenda:**

Mr. Tim Conrad, Deadwood Mountain Grand, was present to discuss a possible partnership with the Deadwood Historic Preservation Commission, City of Deadwood, Deadwood Mountain Grand, and Deadwood History Inc. for the creation of an interpretive plaza. A formal request will be forthcoming. (The proposal is attached hereto on Exhibit H and incorporated herein by this reference.)

### **Staff Report:**

Mr. Kuchenbecker reported on the following items:

- Gave an update on the St. Ambrose Cemetery restoration project.
- Noted a number of activities are going on at Deadwood History Inc. including a Wagon Train on the Medora to Deadwood Trail and Preservation Thursday events.
- Said staff had created a map for the Medora to Deadwood Trail which will be included in the next packet.

### **Other Business:**

Mr. Steinlicht made a public apology to the Chair, Commission, audience, and Commissioner Olson. He said if he had done anything to upset Commissioner Olson, which resulted in him leaving the meeting, it was not his intention to do so.

Mr. Kuchenbecker thanked Commissioner Hansen for attending an Outside of Deadwood Check presentation for the Lead Country Club.

HPC Meeting  
Wednesday, August 29, 2012

**Adjournment:**

There being no other business, the Deadwood Historic Preservation Commission Meeting of August 29, 2012 adjourned at 6:10 p.m.

ATTEST:

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Matthew Pike  
Chairman, Historic Preservation Commission  
*VPeterson, Recording Secretary*