

**LOUISVILLE – SOUTHERN INDIANA  
OHIO RIVER BRIDGES PROJECT**

**Indiana Historic Preservation Advisory Team (IHPAT) Meeting  
February 18, 2009 – 10:00 AM at McCauley – Nicolas Centre**

The following summarizes the discussions of the IHPAT meeting held in the Community Room of the McCauley – Nicolas Centre on February 18, 2009 for the Louisville – Southern Indiana Ohio River Bridges Project (Project). An agenda was provided to meeting attendees by mail on February 2, 2009.

**Welcome and Introductions: Mr. John Sacksteder, CTS-GEC**

Mr. Sacksteder welcomed everyone to the meeting and asked those present to identify themselves and the entity they represented. A list of the IHPAT members in attendance is attached to this summary.

**Project Update: Ms. Mary Kennedy, INDOT and Mr. John Carr, IN SHPO Office**

The National Register of Historic Places (NRHP) application for listing of the Ohio Falls Car and Locomotive Company Historic District is undergoing substantive review by the IN SHPO. It is expected that the application would be placed on the April 22, 2009 Indiana Historic Preservation Review Board agenda for nomination (by the Board). If nominated the property could be listed on the NRHP in mid-to-late June 2009.

**IHPAT Member Attendance: Mr. Jeff Vlach, CTS-GEC**

IHPAT member attendance at past scheduled meetings has been low. Therefore, as a part of the IHPAT of December 17, 2008, attempts were made to increase attendance by offering member input on schedule modification or meeting attendance by the designated alternate. An increase in the members in attendance was still lacking. Mr. Vlach distributed the member listing of the IHPAT and asked those in attendance to urge the other members to begin attending future meetings. It was stressed that the IHPAT was instrumental in assisting the BSHCT and the BSMT in developing Project design details to implement the measures of the Memorandum of Agreement (MOA).

**Swartz Farm Rural Historic District MOA Amendment: Mr. Jeff Vlach, CTS-GEC**

Mitigation defined in the Swartz Farm Rural Historic District (HD) MOA Amendment could include the relocation of the Central Passage House (CPH) including measures to make the house habitable after the move. As a part of this proposed relocation, the historical significance of the CPH was to be revisited by the IN SHPO, including an inspection of the interior (of the CPH). This would allow the IN SHPO to assess the extent to which the original floor plan was intact and would provide the information about the interior integrity needed to make a decision on individual eligibility. On January 12, 2009, the property owners agreed to the inspection in the afternoon of February 18, 2009. However, on February 16, 2009, the owners contacted Mr. Vlach and canceled

the inspection due to health concerns of Mr. Ward. Rescheduling of the inspection is to continue. *(Subsequent to the meeting, Mr. Vlach met with Ms. Kennedy and Mr., Carr and a number of possible inspection dates were provided. Mr. Vlach is to coordinate a date with the owners.)*

### **Agricultural Development of Southeastern Indiana 1840 - 1940: Mr. Jeff Vlach, CTS-GEC**

Mr. Vlach provided an overview of the comments received from the IHPAT at the meeting of December 17, 2008. Comments offered included research of the name of Floyd County, incorporation of the dates of relevant architectural styles in the study area, use of the term Federal as opposed to Adamesque style and further definition of the I-House in the study area. Appropriate revision of the text was completed in late December 2008.

With the revision of this report, it was returned to the Co-chairs for final approval at the BSHCT meeting of January 13, 2009. The Kentucky Co-chairs deferred to the Indiana Co-chairs at the BSHCT meeting. Concurrence in the final edition of the report was received from the Indiana Co-chairs on January 22, 2009 and it was advanced to the Bi-State Management Team (BSMT). The BSMT approved the report on February 2, 2009. The report was distributed to the members of the IHPAT at the meeting. Therefore, Stipulation III.I.1 of the MOA to provide for a thematic context for agriculture in Clark County and surrounding counties to assist with future nominations in the region is satisfied.

### **Historic Preservation Plan Status: Mr. Kevin Senninger, CTS-GEC Old Jeffersonville Historic District and Utica Limekilns**

Mr. Senninger presented a PowerPoint (PP) addressing the progression of events for the Old Jeffersonville, Swartz Farm, and Lime Kilns Historic Preservation Plans (HPPs). This presentation was intended to highlight some of the major milestones and other events between 2006 – 2009 that have occurred during the development of each HPP. The intent was to not only show what has transpired, but also to re-engage IHPAT members. Mr. Senninger noted that the Old Jeff and Swartz Farm HPPs had progressed steadily since their inception in June 2006 through August 2007. During this same time, the Lime Kiln HPP was delayed as a result of the property owners' refusal to allow access to the kilns. The following discussions ensued for each of the HPPs:

#### **Swartz Farm Rural Historic District**

Mr. Fogle asked for a clarification of the location of the Swartz Farm. It was explained that the property is located immediately southeast of the existing I-265/SR 62 interchange and adjacent to the Utica-Sellersburg Road.

Mr. Sacksteder noted that the FHWA requested all HPPs be put on hold at the time that issues arose regarding the Butchertown HPP. FHWA reviewed the HPP process and requested some (universal) formatting changes for all of the HPPs.

As noted in the schedule, it was in October 2007 that the owner of the Swartz Farm demolished all of the structures located on the site. This action resulted in the need to re-evaluate the relevance of the Swartz Farm Rural HD HPP and related MOA Stipulations. In

February 2008, discussions were undertaken to develop amendments to the MOA to address this change. See **Swartz Farm Rural Historic District MOA Amendment**.

Mr. Fogle stated that there was a pending rezoning request for a portion of the Swartz Farm property that was to go before the Board of Zoning Appeals of the city of Jeffersonville on February 24, 2009. The request was to re-zone the property to a Light Industrial use to reflect recent industrial growth south of the property. He also stated that the proposed rezoning was not tied to a pending site development plan for the property.

Mr. Sekula asked a number of questions about the process employed by INDOT for land acquisition. He also inquired why those initial discussions with the property owner of the Swartz Farm had apparently ceased following the demolition of the structures on the property. Mr. Hilton responded that because the section of the Project near the Swartz Farm property was being re-designed by SDC 6, INDOT was reluctant to purchase the land because of uncertainties associated with the needed right-of-way.

Mr. Sekula questioned the purpose of the Swartz Farm HPP given the following parameters:

- A portion of the property could be re-zoned and potentially purchased for industrial development
- There are no historic structures remaining on the Swartz Farm, especially with the questionable historic integrity of the CPH
- There does not appear to be any historic integrity of the Swartz Farm as an HD

Mr. Hilton stated that the proposed MOA amendments for the Swartz Farm are intended to address these issues. Furthermore, a determination of the historic value of the CPH would also affect how the HPP process would proceed in the near term.

### **Old Jeffersonville Historic District**

In January 2009, CTS-GEC proceeded with the Old Jeff HD HPP based on several formatting changes to the document requested by the FHWA. Based on those revisions, Mr. Senninger stated that a revised final draft of the HPP would be presented at the BSHCT meeting of March 17, 2009, and would seek a recommendation to forward it to IHPAT for discussion at the April 15, 2009 meeting. After the IHPAT, the HPP would be revised, returned to the BSHCT on May 12, 2009 for final review and advanced back to the IHPAT on June 17, 2009 for concurrence. With the concurrence of the IHPAT, the HPP would be advanced to the BSMT for final approval. With BSMT approval, the HPP would be provided to the city of Jeffersonville for consideration for adoption.

Mr. Sekula made a formal motion (seconded by Ms. Renwick) that, because of the duration of the Old Jeff HD HPP process, another (second) public meeting be conducted to inform the general public of the content of the HPP and to allow public comment on it. The IHPAT members approved the motion. It would be brought before the BSHCT for consideration and recommendation to the BSMT. Additionally, some members of the IHPAT recommended that the HPP include discussion of recent land use changes, such as the proposed Jeffersonville convention center, before it is finalized.

## **Utica Limekilns**

In July 2008, following several meetings with the property owners' representatives, access was granted to the lime kilns. Development of the limekiln HPP process was initiated in September 2008.

Mr. Senninger described the location of the four kilns near Utica, possible direct impacts of the Project on each kiln and the MOA stipulations to protect the kilns during construction. He also described the proposed plat of the Lime Kiln Ridge subdivision and how it could affect Kilns # 48002 and #48003.

Mr. Dorman stated that the town is very interested in preserving the kilns, and that he has personally spoken to the property owners about protecting them. Mr. Senninger noted the positive interest of the town in preserving the kilns; he stated that since the December 17, 2008 IHPAT meeting, much of his effort has centered on researching public and private funding alternatives to stabilize and/or protect the lime kilns. Much of the funding for preserving/protecting such historic resources can only be acquired by public/government entities rather than private property owners. Funding through the Indiana Department of Natural Resources – Division of Historic Preservation and Archaeology (DHPA) and other state agencies stipulate that such grants/funding are available only to governmental agencies, non-profit organizations, and/or educational institutions.

Mr. Senninger also summarized his conversation with Dr. Rick Jones, Indiana State Archaeologist, regarding Indiana's archaeology law, which applies to historic and/or archeological resources pre-dating December 31, 1870. This law is intended for private property owners and can hold them liable for damage to archaeological resources. He concluded by noting that CTS-GEC continues to conduct historic and other relevant background research regarding the kilns. The key to this research is to try and determine a relatively-accurate date for when the large (perpetual) kilns were constructed, and, hence, the applicability of the archaeology law. If the law applies to the kilns, an archaeological plan could require preparation.

## **SR 62 Interchange Design Study: Mr. Jim Hilton, CTS-GEC**

Mr. Hilton discussed the proposed design change for the SR 62 interchange at I-265 and Port Road at the western project terminus. This design change was initiated by INDOT. It would provide a major reconfiguration of the interchange. It was stated that the new design would provide better constructability at a lower construction cost and within the right-of-way footprint of the Final Environmental Impact Statement/Record of Decision. The new layout would further offer opportunities to reduce some right-of-way requirements. No additional impacts or effects upon historic properties would occur by advancement of the design change. SDC 6 is presently reviewing the right-of-way in efforts to reduce the footprint. The design was approved by the BSMT on December 1, 2008 and was presented to the BSHCT on January 13, 2009 for advancement to the IHPAT, the Area Advisory Team (AAT) and the general public. Mr. Hilton indicated that a future presentation of the interchange geometrics to the IHPAT would occur after completion of the current design phase.

**Final Comments: Mr. John Sacksteder, CTS-GEC**

Mr. Sacksteder stated that the INDOT had secured the Shlosser Farm by advance acquisition. He also stated that appraisals had started on the right-of-way required from the Lime Kiln Ridge subdivision. Mr. Sekula questioned why the right-of-way for the Swartz Farm could not proceed as advance acquisition. Mr. Hilton stated that for right-of-way to begin, the north property line at the property must be set before INDOT could proceed with advance acquisition.

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IN SHPO: John Carr

INDOT: Mary Kennedy

Indiana  
Ombudsman: Carl Percy

Clark County  
Commissioners: Carl Kramer

Clark County  
Historian: Jeanne Burke

HLFI: Greg Sekula  
Laura Renwick (also represented Jeffersonville HPC)

Rose Hill: Joe Rafferty

City of  
Jeffersonville: Brian Fogle

Town of Utica: Hank Dorman

CTS-GEC: John Sacksteder  
Jim Hilton  
Jeff Vlach  
Kevin Senninger  
Bob Lauder