



Historic Preservation Commission Meeting Minutes

Wednesday, May 24, 2023 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call Meeting to Order

A quorum present, Commission Chair Posey called the Deadwood Historic Preservation Commission meeting to order on May 24, 2023 at 4:00 p.m.

2. Roll Call

PRESENT

HP Commission Chair Bev Posey
HP Commission Vice Chair Leo Diede
HP Commissioner Trevor Santochi
HP Commissioner Jill Weber
HP Commissioner Tony Williams
HP Commissioner Vicki Dar

ABSENT

HP Commission 2nd Vice Chair Robin Carmody

STAFF PRESENT

Kevin Kuchenbecker, Historic Preservation Officer
Bonny Anfinson, Program Coordinator
Mike Walker, Director, Neighborworks

3. Approval of Minutes

- a. HPC Minutes 5/10/23

It was moved by Commissioner Santochi and seconded by Commissioner Williams to approve the minutes of the May 10, 2023 meeting. Voting Yea: Williams, Santochi, Posey, Weber, Diede, Dar.

4. Voucher Approvals

- a. HP Operating Vouchers

It was moved by Commissioner Williams and seconded by Commissioner Weber to approve the HP Operating Vouchers in the amount of \$185,184.17. Voting Yea: Williams, Santochi, Posey, Weber, Diede, Dar.

- b. HP Revolving Vouchers

It was moved by Commissioner Weber and seconded by Commissioner Williams to approve the HP Revolving Vouchers in the amount of \$6,150.00. Voting Yea: Williams, Santochi, Posey, Weber, Diede, Dar.

5. HP Programs and Revolving Loan Program

- a. Approve satisfaction of grant(s) for Bonnie Fosso at 170 Pleasant

Ms. Anfinson stated Bonnie Fosso, 170 Pleasant, has participated in the Foundation, Siding, Elderly Resident and Wood Windows and Doors Programs. The applicant is refinancing this property and the lender is requesting a Satisfaction of Grants. The Loan Committee reviewed this and recommends approval. ***It was moved by Commissioner Santochi and seconded by Commission Williams to approve the Satisfaction of Grant for Bonnie Fosso, 170 Pleasant. Voting Yea: Williams, Santochi, Posey, Weber, Diede, Dar.***

- b. Historic Preservation Loan Request

Nancy Fairbairn - 57 Forest - Multiple Loan Requests

It was moved by Commissioner Weber and seconded by Commissioner Williams to deny the loan requests. Voting Yea: Williams, Santochi, Posey, Weber, Diede, Dar.

6. Old or General Business

- a. Lee Thompson - 47 Forest - Discussion of Retaining Wall Constructed in 2009

Lee Thompson discussed the retaining wall that was constructed at 47 Forest through the retaining wall program. The wall was constructed in 2009 and there wasn't a cap installed like the wall right next to it. Rocks keep popping out of the wall. Mr. Kuchenbecker stated the wall was constructed per the plans. Mr. Kuchenbecker believes this is on-going maintenance and a cosmetic issue not structural matter. Staff will check the catch basin. Staff will also set up a site visit with the owner and HP Commissioners.

- b. Renew grant software subscription with Foundant Technologies 2023/2024 in the amount of \$10,800.00 to be paid out of the Professional Services Revolving Loan line item.

Mr. Kuchenbecker stated the City of Deadwood entered into an agreement with Foundant Technologies in June 2017 for use of the web-based grant program for all of the Historic Preservation grants. This program has been very successful in keeping track of all the grant recipients and providing reports for meetings, budgets, and grant numbers. The software license is renewed every two years. The current subscription is up in June 2023 and therefore the license subscription will need to be renewed. The previous software license was \$10,000.00 for a two-year period. The 2023 and 2024 subscription will total \$10,800.00 with \$5,400.00 being paid each year. Funds will be paid out of the Professional Services Revolving Loan line item. Staff is recommending to the Historic Preservation Commission to approve the purchase of a two-year licensing subscription from Foundant Technologies in the amount of \$10,800.00 with half being paid in 2023 and the other half in 2024. The funds will come out of the Professional Services Revolving Loan line item. ***It was moved by Commissioner Weber and seconded by Commissioner Dar to recommend to the City Commission to enter into an agreement with Foundant Technologies for a two year licensing subscription for services in the amount of \$10,800.00 with half***

(\$5,400.00) being paid in 2023 and the other half (\$5,400.00) in 2024 to come out of the Professional Services Revolving Loan line item. Voting Yea: Williams, Santochi, Posey, Weber, Diede, Dar.

7. New Matters Before the Deadwood Historic District Commission

- a. COA 230041 - Todd Weber - 621 Main - Make adjustment to height of store front

Commissioner Weber recused herself from the meeting.

Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 621 Main Street, a non-contributing structure located in the Deadwood City Historic Planning Unit. The applicant is requesting permission to build up of façade to meet sign ordinance requirements to bring store front up to height of sign. When sign was designed applicant did not know this was part of the ordinance. Instead of removing and rebuilding the entire sign, an easier and cheaper fix will be to raise the portion of the facade. On July 20, 2018, the applicant applied for and received approval to construct a temporary vending structure to be used during the Sturgis Motorcycle Rally in 2018. It has been in existence since the approval of a temporary structure. In November of 2020, the applicant was granted permission to install windows and a door to allow for winter usage. On January 8, 2020, the applicant was given permission to construct a re-creation of a store from 1880's with 12x19 frame (post-beam) with rough sawn lumber similar to the temporary building put up in 2018. In May 2022, the applicant was granted permission to install a new projecting sign by the Deadwood Sign Review Commission. The applicant finally installed the new sign this spring, however, due to the size and height of the sign it is no longer in compliance with the sign ordinance due to it rising above the front parapet on the false front of the temporary structure. In an effort to come in compliance on the sign, the applicant is now requesting to raise the height of the building with an addition to the false front and adding an arched top pediment to the parapet. While this will bring the sign into compliance with the sign ordinance, staff is concerned the increase in height of the façade, as well as the size of the sign, will begin to be out of proportion to the structure and the openings. The proposed work and changes do not encroach upon, damage or destroy a historic resource but may have an adverse effect on the character of the building and the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Commissioner Santochi and seconded by Commissioner Williams based upon the guidance found in DCO 17.68.050, I find that the exterior alteration proposed is incongruous with the historical, architectural, archaeological or cultural aspects of the district and move to deny Certification of Appropriateness. Voting Yea: Williams, Santochi, Posey, Diede, Dar. Recused: Weber***

Commissioner Weber returned to the meeting.

- b. COA 230044 - Optima, LLC - 372 Main - Install Trash Chute on Building Exterior

Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 372 Main Street, a non-contributing structure located in the Fountain City Planning Unit. The applicant is requesting permission to

add an exterior trash chute on the south side of the Tru by Hilton property that extends from 4th floor to the trash enclosure/compactor. The proposed work and changes do not encroach upon, damage or destroy a historic resource or have an adverse effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Commissioner Diede and seconded by Commissioner Dar based upon the guidance found in DCO 17.68.050, I find that the exterior alteration proposed is congruous with the historical, architectural, archaeological or cultural aspects of the district and move to grant Certification of Appropriateness. Voting Yea: Williams, Santochi, Posey, Weber, Diede, Dar.***

- c. COA 230045 - Joel Livengood - 732 Main - Replace fence and construct boardwalk
- Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 732 Main Street, a contributing structure located in the Deadwood City Planning Unit. The applicant is requesting permission to replace the chain-link fence with a wooden post and rail fence. Construct a boardwalk mimicking the original boardwalk at the east side of the building. It will provide access to door at the rear of the structure to meet code. A railing will be constructed to match the existing porch. The applicant began work on both the fence and the "boardwalk" without a building permit or Certificate of Appropriateness. Furthermore, the structure was entered into the façade program in September of 2020 and has violated the conservation easement for work done without permission of the Historic Preservation Commission. With regards to the fence, while it is an improvement to the previous chain link fence which was removed, it is not compatible to the resource. A picket or iron fence would appear to be more appropriate to the building and lot. The "boardwalk", while shown in a line drawing or etching of this section of early Deadwood, there is no evidence that once the resource was moved to the new location that such boardwalk was present. The original boardwalk on the resource shown in the drawing was related to the structure and the terrain associated with the site and setting associated with this particular location and not the current site and setting. Staff's research through the Sanborn Fire Insurance maps do not indicate a "boardwalk" associated with this building in this location. It is staff's opinion that this also does not meet the requirements associated with the Conservation Easement. The proposed work and changes do encroach upon and damage the historic resource and has an adverse effect on the character of the building and the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Commissioner Diede and seconded by Commissioner Dar based upon the guidance found in DCO 17.68.050, I find that the exterior alteration proposed is incongruous with the historical, architectural, archaeological or cultural aspects of the district and move to deny Certification of Appropriateness. Voting Yea: Williams, Santochi, Posey, Weber, Diede, Dar.***
- d. COA 230046 - Joel Livingood - 732 Main - Garage Facade

Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 732 Main Street, a non-contributing structure located in the Deadwood City Planning Unit. The applicant is requesting permission to mimic the garage façade to replicate a structure that once stood in the same location. Currently it is a garage built in the 1970's. The plan is to use the salvaged 1" wood sheathing planks that were original to the main house adjacent to the garage. While there is photographic evidence of a false front structure at this location or near this site, as proposed, the false front façade does not truly mimic the previous building(s) due to the single door or entrance and without additional fenestration. It appears the previous structure had much more of a transparent store front. Furthermore, since this garage is outside the period of significance it has no historical context and is an intrusion to the fabric of the district. Creating a false front façade may be appropriate if it more closely matches earlier structures within the area of this project as shown in the photographic documentation provided in the application. The proposed work and changes do not encroach upon, damage or destroy a historic resource but as proposed would have an adverse effect on the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District by recreating a false sense of history and not meeting the intended standards of the district. Staff would recommend denying the application as submitted and have the applicant present a proposed design which follows the guidelines and standards set forth by the commission. ***It was moved by Commissioner Dar and Commissioner Santochi to continue this application until the June 14, 2023 meeting so the applicant can present a design which follows the guidelines and standards set forth by the commission. Yea: Williams, Santochi, Posey, Weber, Diede, Dar.***

8. New Matters Before the Deadwood Historic Preservation Commission

- a. PA 230040 - Pete Curry/Teresa Hamilton - 458 Williams - Install Fencing

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 458 Williams, a contributing structure located in the City Creek Planning Unit. The applicant is requesting permission to install fencing in the front, side and rear of structure. The front yard will be a two-foot fence and the side yard will be a three-foot fence, both will either be a picket or iron fencing. The back yard fence will be a six-foot wooden privacy fence. Gates will be installed at front entrance and access gate on left side of house in front. Gates to back yard on each side of house to match privacy fence. The proposed work and changes will not have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District; however, staff recommends sketch with location and size of the window be submitted for future reference. ***It was moved by Commissioner Weber and seconded by Commissioner Santochi based upon all the evidence presented, I find 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 move to grant a project approval. Yea: Williams, Santochi, Posey, Weber, Diede, Dar.***

- b. PA 230042 - Raul Ponce de Leon - 10 Denver - Repair Foundation

Mr. Kuchenbecker stated the applicant has submitted an application for work at 10 Denver Ave, a contributing structure located in the City Creek Planning Unit. The applicant is requesting permission to repair the foundation of the structure. The applicant is applying for the foundation grant program. The proposed work and changes do not encroach upon, damage or destroy a historic resource or have an adverse effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Commissioner Weber and seconded by Commissioner Diede based upon all the evidence presented, I find 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 move to grant a project approval. Yea: Williams, Santochi, Posey, Weber, Diede, Dar.***

- c. PA 230043 - Tessa Allen - 160 Charles - Replace front porch windows and laundry room windows

Mr. Kuchenbecker stated the applicant has submitted an application for work at 160 Charles, a contributing structure located in the Cleveland Planning Unit. The applicant is requesting permission to replace the existing front porch windows and the laundry room window with wood windows. The applicant has applied for the window program and provided specifications on the windows. The proposed work and changes encroach upon but does not damage or destroy a historic resource. It may have an adverse effect on the character of the building but will not have an overall adverse effect on the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Commissioner Dar and seconded by Commissioner Santochi based upon all the evidence presented, I find 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 move to grant a project approval. Yea: Williams, Santochi, Posey, Weber, Diede, Dar.***

- d. PA 230047 - Dale Berg - 874 Main - Demolish garage and construct new garage

Mr. Kuchenbecker stated the applicant has submitted an application for work at 874 Main, a contributing structure located in the Upper Main Planning Unit. The applicant is requesting permission to demolish the current garage. The structure does not match the historic house across the street. The current garage has dry rot in the rafters, it is off the foundation, the doors and windows are broken and/or missing. Currently no vehicles can be parked in it. The applicant would like to construct a new garage in its place. The design would match the applicant's Victorian home across the street by design and color. The siding will be five-inch reveal cedar siding and painted same color as the house. Plans are to also install a small garage door at the rear of the structure to accommodate a side by side. In

June of 2021, the applicant submitted a project approval to sell, remove or demolish this particular garage. After the HP Commission conducted a site visit and made recommendations, the applicant withdrew the application. The applicant is now submitting a new project approval to demolish the garage and construct a new garage which accommodates today's uses and vehicles. A similar design garage was constructed by the Gibbs at 850 Main Street. The proposed garage attached to the application is compatible to the historic district with appropriate siding, windows, and roof lines. The proposed height could be much greater than the neighboring garage at 21 to 22 feet to the ridge. While this fits within the zoning regulations for height it may appear larger than the existing garage by 8 feet and the neighboring garages in this area. This should be verified prior to any action to determine the impact to the site and setting of this part of the historic districts. The proposed work and changes does destroy a historic resource and will have an adverse effect on the character of the building and may also have an adverse effect on the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. Commissioner Santochi expressed concerns of the proposed structure being a two story with a living space. ***It was moved by Commissioner Santochi and seconded by Commissioner Weber to continue this item to the June 14, 2023 meeting at which time the applicant can show scale in comparison of neighboring garages. Yea: Williams, Santochi, Posey, Weber, Diede, Dar.***

9. Items from Citizens not on Agenda

(Items considered but no action will be taken at this time.)

10. Staff Report

(Items considered but no action will be taken at this time.)

Mr. Kuchenbecker stated, in your packet you have the first quarter Fassbender newsletter. Mike Runge is busy, he has two job corps students, Sam Hamman is back, a police officer on light work duty and Mr. Santochi helping him out. Fifty cubic feet of the Four Points Project left. We are advertising for a Zoning Coordinator. We are out for bid on the FEMA project. Ted Spencer's retirement party is June 2, 2023.

11. Committee Reports

(Items considered but no action will be taken at this time.)

Commissioner Dar stated the Plant Swap is tomorrow, there will be pet vaccinations and licensing.

Commissioner Santochi stated he is working with Mike Runge.

Commission Williams stated there are businesses flying drones downtown.

Commissioner Posey stated we did a check presentation in Vale, SD. SHPO was also there and presented their grant. Butt patrol was today.

City Commissioner Charlie Struble-Mook presented a plaque to Commissioner Weber for her dedication and service to the Historic Preservation Commission.

12. Adjournment

- a. Executive Session for Legal Matters per SDCL1-25-2 (3) w/ possible action

The Commission adjourned into executive session at 5:19 p.m. to discuss legal matters per SDCL 1-25-2 (3) with possible action.

The Commission came out of executive session at 5:29 p.m.

The Historic Preservation Commission Meeting adjourned at 5:30 p.m.

ATTEST:

Chairman, Historic Preservation Commission

Minutes by Bonny Anfinson, Program Coordinator