



Historic Preservation Commission Meeting Minutes

Wednesday, May 26, 2021 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call Meeting to Order

A quorum present, Chairman Berg called the Deadwood Historic Preservation Commission meeting to order on May 26, 2021 at 5:00 p.m.

2. Roll Call

PRESENT

HP Commission Chair Dale Berg

HP Commission Vice Chair Bev Posey

HP Commission 2nd Vice Chair Robin Carmody

HP Commissioner Leo Diede

HP Commissioner Trevor Santochi

HP Commissioner Jill Weber

HP Commissioner Tony Williams

STAFF PRESENT

Kevin Kuchenbecker, Historic Preservation Officer

Bonny Anfinson, Program Coordinator

Mike Walker, Director of NeighborWorks

3. Approval of Minutes

- a. HPC Minutes May 12, 2021

Commissioner Diede stated on Item 8 a. change the "moved by Commissioner Posey" to "moved by Commissioner Weber". ***It was moved by Commissioner Weber and seconded by Commissioner Diede to approve the corrected HPC Minutes of May 12, 2021. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

4. Voucher Approvals

- a. HP Operating Vouchers 5/26/21

It was moved by Commissioner Williams and seconded by Commissioner Diede to approve the HPC Operating Vouchers in the amount of \$78,302.48. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams

- b. HPC Revolving Vouchers 5/26/21

It was moved by Commissioner Weber and seconded by Commissioner Santochi to approve the HPC Revolving Vouchers in the amount of

\$60,772.06. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams

5. HP Programs and Revolving Loan Program

a. Revolving Loan Program

Sherree Rich & Joe Gaspar -- 40 Jefferson -- Retaining Wall Loan Request

Wayne Morris -- 388 Main St. -- Request to Forgive Siding Loan

It was moved by Commissioner Posey and seconded by Commissioner Diede to approve the retaining wall loan request for Sherree Rich and Joe Gaspar at 40 Jefferson and request to forgive siding loan for Wayne Morris, 388 Main Street. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams

6. Old or General Business

a. Enter into contract with Erica Merchant to restore Henry George Cigar ghost mural on side of Bodega at a cost of \$14,988.47 in exchange for conservation easement from property owner.

Mr. Kuchenbecker stated the Historic Preservation Commission entered 664 Main Street into the Ghost Mural Program. The mural will be the "Henry George Cigar" rather than the owl cigar advertisement. Erica Merchant has submitted a quote for restoring the mural in the amount of \$14,988.47. ***It was moved by Commission Diede and seconded by Commissioner Santochi to recommend to the City Commission to hiring Erica Merchant to reproduce the ghost mural of the "Henry George Cigar" mural on the building located at 664 Main Street for a cost not to exceed \$14,988.47. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

b. Permission to engage M.S. Mail to print 50,000 of the Deadwood Walking Tour brochures at a cost of \$11,900 from the HP Public Education line item.

Mr. Kuchenbecker stated staff is requesting permission to purchase 50,000 downtown walking tour brochures to be distributed at the Deadwood Information Center and Welcome Center. We have received a quote from M.S. Mail in the amount of \$11,900.00. ***It was moved by Commission Weber and seconded by Commission Posey to recommend to the City Commission to print 50,000 Deadwood Walking Tour brochures at a cost not to exceed \$11,900.00 from M.S. Mail to be paid out of the Public Education line item. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

c. Approve Lawrence County Courthouse application for Historic Preservation Not-for-Profit Grant Program from Lawrence County.

Mr. Kuchenbecker stated the Lawrence County Courthouse was accepted into the Not-for-Profit program at the April 14, 2021 Historic Preservation Commission meeting. Per the Deadwood Not-For-Profit Grant Policy Guidelines, qualified organizations may be eligible for a grant of up to \$10,000 per year not to exceed \$50,000 in a five year period. The Projects Committee reviewed this request and

recommend approving the grant request to Lawrence County in the amount of \$50,000 for masonry repairs to the Lawrence County Courthouse. ***It was moved by Commissioner Posey and seconded by Commissioner Weber to approve the Not-for-Profit grant request to Lawrence County in the amount of \$50,000 for the masonry repairs to the Lawrence County Courthouse. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

- d. Request for Not-for-Profit Grant from Deadwood Masonic Association for engineering costs associated with the stabilization of structural issues.

Mr. Kuchenbecker stated the Deadwood Masonic Association discovered major issues with the girder trusses on the third floor of the structure in October 2020. CVD Construction was hired to install bracing to secure the structure until it can be repaired. Albertson Engineering has been contacted to determine what can be done to repair the girder trusses. The Deadwood Masonic Association has submitted a Not-for-Profit grant to pay for the \$8,000.00 in engineering costs. Per the Deadwood Not-For-Profit Grant Policy Guidelines, qualified organizations may be eligible for a grant of up to \$10,000 per year not to exceed \$50,000 in a five year period. Since 2017 the Deadwood Masonic Association has been granted \$38,354.56 in funds with \$11,645.44 available. The Projects Committee reviewed this request and recommend approving the grant request to the Deadwood Masonic Association in the amount of \$8,000.00 for engineering costs associated with the girder truss repairs. ***It was moved by Commissioner Weber and seconded by Commissioner Santochi to approve the Not-for-Profit grant to the Deadwood Masonic Association in the amount of \$8,000 for the engineering costs associated with the girder truss repairs. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

- e. Set special Historic Preservation Commission Meeting to review proposed project associated with 56 Lincoln Avenue and 874 Main Street for June 3, 2021, 11:00 a.m. starting at Lincoln Avenue

Mr. Kuchenbecker stated we have two pending applications for potential demolition. In the past we have done onsite visits to take a look at the integrity of the resource and provide additional onsite information for the commission to help make their determination. ***It was moved by Commissioner Diede and seconded by Commission Weber to set a special meeting of the Historic Preservation Commission for June 3, 2021, 11:00 a.m. to conduct site visits of 56 Lincoln Avenue and 874 Main Street. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

- f. Set new deadline for Outside of Deadwood Grant program to July 2, 2021 and increase funding amount to \$100,000 for FY 2021.

Mr. Kuchenbecker stated we have supplemented the budget of \$50,000 to help fund the Outside of Deadwood grant. We have revised the 2021 budget based on revenues. The grant deadline is normally June 2, 2021 for the second round. We did not have a first round due to the moratorium. Staff is requesting setting the deadline for 2021 to July 2, 2021. ***It was moved by Commissioner Posey and***

seconded by Commission Williams to set the deadline for the Outside of Deadwood grant for July 2, 2021 and increase funding to \$100,000. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams

- g. Discussion and possible action of creation and installation of flag pole and plaza at Deadwood Elementary in recognition of the 50th anniversary of the combining of the Lead-Deadwood High Schools in the amount of \$10,000.00.

Mr. Kuchenbecker stated this is a project the Mayor brought to our attention. 2021 marks the 50th year since the Lead and Deadwood schools were combined. In an effort to commemorate this collaboration of schools, the Lead-Deadwood Community Foundation in conjunction with the Lead-Deadwood School District are desiring to create a small plaza with the installation of a flag pole and interpretive sign to be installed in the area of the cannon. Staff is recommending the Deadwood Historic Preservation Commission support the project with financial assistance in the amount of \$10,000 to be paid out of the Public Education line item. ***It was moved by Commissioner Weber and seconded by Commissioner Posey to recommend to the City Commission to support the Lead-Deadwood Community Foundation's project to commemorate the 50th anniversary of the combining of the school districts of Lead and Deadwood with the installation and dedication of a new the flag pole, interpretive sign and plaza area for the flag in the amount of \$10,000 to be paid out of the Public Education line item. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

7. New Matters Before the Deadwood Historic District Commission

- a. COA 210081 - Frank Pavich - 789 Main - Replace Windows

Mr. Kuchenbecker stated the applicant is requesting permission to replace the double hung windows on the left and right side of the second floor and one main floor rear window with egress to meet SDCL requirements for a vacation rental. This is another example of alterations being driven by the State of South Dakota's Department of Health. Staff will reach out to the State Historic Preservation Office to set a meeting with the Department of Health to discuss alternatives to the egress issue and possible use of the International Existing Building Code. Staff conducted an onsite inspection of the windows. Upon review it was decided a wooden crank out with a three over one configuration to mimic the current windows would be appropriate similar to the project recently approved by the commission on lower Main Street. The proposed work and changes does damage or destroy historic material of a historic resource but does not have an adverse effect on the overall character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. Commissioner Posey requested making a stipulation going forward to require any changes to the size of windows and doors not be allowed on the front exterior of a structure. Kevin stated he is working with the State Historic Preservation Office and the Department of Health to help resolve this issue. The existing building code states there is not a requirement in current code for egress on a historic structure. The state could adopt the International Existing Building Code when it comes to the

existing building requirement which includes Historic Structures. ***It was moved by Commission Posey and seconded by Commissioner Santochi 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: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

- b. COA 210082 - Keating Resources - 51 Sherman - Construct Patio

Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 51 Sherman Street, a contributing structure located in the Deadwood Historic Overlay Zone in the City of Deadwood. The applicant plans to renovate the exterior space to the north of the structure. This renovation will complement architectural improvements to the building. The proposed patio space will include clay brick pavers on street side with a timber/deck patio on the alley side (flush with paver patio). The proposed work and changes does not encroach upon, damage or destroy a historic resource nor does it 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 Santochi 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: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

- c. COA 210083 - Troy Gorans - 27 Deadwood St. - Construct Patio

Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 27 Deadwood Street, a contributing structure located in the Deadwood City Historic Planning Unit in the City of Deadwood. Applicant is requesting permission to construct a patio off of Deadwood Street along the front left parking lot side of the structure. It will be a 33'x18' patio with stamped/colored concrete to match the brick on Deadwood Street. The patio will have a manufactured metal railing and will match the existing railing. Commission Posey expressed concern of losing parking spaces. Mr. Kuchenbecker stated it is private property but acknowledges the City does have a parking problem. As we increase the amenities of Deadwood, people are going to be willing to walk greater distances. Mr. Gorans stated the patio is important to our food and beverage business. ***It was moved by Commissioner Posey and seconded by Commissioner Weber 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: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

- d. COA 210087 - 555 Main St - Deadwood Hotels LLC - 555 Main St. - Install brick façade

Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 555 Main Street, a non-contributing structure located in the Deadwood City Planning Unit in the City of Deadwood. The applicant is requesting permission to add brick to the exterior front façade of the structure. After extensive research on the actual construction date of this structure and consultation with the State Historic Preservation Office, we have determined it is a non-contributing resource. It was built in 1941 according to our research. This puts the construction outside of the period of significance for the National Historic Landmark District. Previous information in Boots on Bricks and databases had the incorrect date of construction. In addition to the news clipping in your packet, here is what we found out on the buildings that made up Eddie's Tire. August 3, 1941 is when Eddie opened a new service station according to the newspaper.

Commissioner Posey asked if it will be all brick now. Mr. Santochi stated it would be an improvement. Commissioner Diede stated he thought it would look nice. Commissioner Weber asked if it will be the same color of brick. Caleb Arceneaux stated there will be two different brick colors to break it up. ***It was moved by Commissioner Diede and seconded by Commissioner Santochi 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: Berg, Carmody, Diede, Santochi, Weber, Williams. Voting Nay: Posey***

8. New Matters Before the Deadwood Historic Preservation Commission

- a. PA 210078 - Robb & Wendy Nelson - 19 Centennial - Updated garage location

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 19 Centennial Ave, a contributing structure located in the Forest Hill Planning Unit in the City of Deadwood. On October 15, 2020 the applicant received a project approval to remove and reuse 30' of the existing historic retaining wall to construct a driveway and garage in the open lot next to the structure and replace the retaining wall approximately 15' on each side of the new driveway.

Due to the steep slope of the site, the applicant is concerned with the amount of earth that will be excavated to build the garage. The required setback for this project is 20' based on Zoning requirements. The applicant will be requesting a variance of the requirement to 10'. This will reduce the amount of excavation, reduce the cost of structure to retain earth and increase safety of the excavation and construction crew. The Historic Preservation Commission is to review the design and the Planning & Zoning Commission will take our review and decision under consideration when possibly granting the requested variance. It is staff's opinion, the change of location on the lot will improve the design and impact on the site and setting of the property; therefore, 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 Posey 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. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

- b. PA 210080 - City of Deadwood - 18 Seventy Six Drive - Construct Lean-to addition

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 18 Seventy Six Drive, a Contributing structure located in the First Ward Planning Unit in the City of Deadwood. The proposed project would add a lean-to addition to the rear of the shop portion of the Days of '76 Museum for covered shelter of the Deadwood Stage Coach. The addition would mimic and compliment the covered seating and lean-to on the front side of the shop near the Days of '76 Campground. City staff will construct the building with limited sub-contractors for concrete work. 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 Posey and seconded by Commissioner Weber 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. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

- c. PA 210085 - City of Deadwood - 15 Seventy Six Drive - Construct deck above chutes

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 15 Seventy Six Drive, contributing structure located in the First Ward Planning Unit in the City of Deadwood. Applicant is requesting permission to construct a deck above the chutes to allow for more seating for special events. This deck will consist of two stairway accesses and a wheel chair lift for handicap access. This will be constructed of wood. The crow's nest and area above the chutes has changed several times over the decades including seating. With the centennial of the Days of '76 Celebration and Rodeo coming up, the City is desiring to make enhancements and increase seating to the arena. This event complex has seen tremendous increase in usage over the past five years with activities such as SnoCross, Pro Bull Riding, Back When They Bucked, Motorcross and other events. This proposed deck and seating above the chutes will provide prime seating for several of these events. The proposed work and changes does 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 Mr. Williams and seconded by Mr. 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. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams

- d. PA 210084 - Charles Eagleson - 374 Williams - Replace Window

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 374 Williams St., a Contributing structure located in the Forest Hill Planning Unit in the City of Deadwood. The new owners of the structure are making renovations to adapt to their elderly needs. Plans are to expand the bathroom to allow for better access and create a downstairs bedroom. The bedroom currently has a small window that does not meet egress requirements. The applicants are requesting permission to replace the inadequate window with a wood double hung window. The change on the bathroom is on a later addition and the proposed window is on the side of the structure. Because of the locations, 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 Williams 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. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams***

- e. PA 210086 - Cara Potter - 152 Charles - Exterior Repairs

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 152 Charles St, a Contributing structure located in the Cleveland Planning Unit in the City of Deadwood. The applicant is requesting permission to replace the porch with like decorative accents to include the window. Create a seating area in the front of the home. Replace roof with asphalt shingles. Install a fence with gate. Repair and/or replace windows, storm windows, doors and storm doors. Front porch roof will be replaced with same shape and size. The rear porch will be restored and secured. The applicant is also applying for the retaining wall program and will also be applying for the programs when the moratorium is lifted. This house has been vacant for over 20 years and is in the process of changing ownership. The buyers desire to rehabilitate this resource. Staff's research could not find any evidence for or against the proposed additions of Victorian detail at this time; however, it is staff's opinion 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 Carmody 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. Voting Yea: Berg, Carmody, Posey, Diede, Santochi, Weber, Williams

9. Items from Citizens not on Agenda

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

Mr. Wu's reported they are planning on constructing an addition onto the current structure that will house a Chinese restaurant and will be located at the back of the parking lot. They will break ground on the construction this fall. They will have to move the food truck currently parked in the parking lot to the front side of the lot. Mr. Kuchenbecker stated they did receive a COA for parking the truck in the parking lot. We would be granting them a temporary COA for the relocation of the truck to the front of the lot. This fall they will submit a COA for the new structure. Will this be OK with the HP Commission. The general consensus from the commission was yes.

10. Staff Report

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

Mr. Kuchenbecker stated we are working on a land trade with Mike Johnson, currently from Gillette, WY, for the rehabilitation of 227 Williams along with working with the State to get an exemption to allow for a septic system.

A letter of support from HP and the Mayor has been sent to the BLM for their acquisition of the Tim Davis property. I have reached out to the school district on a couple of their lots. Homestake knows we are looking at properties. We continue to look at protecting our hillsides and viewsheds.

We will be working with the finance office over the next week or so to see where we are at with the revolving loan program. Hopefully we will bring something to the HP Commission by the end of June or first of July to reenergize and reopen our revolving loan program. It might be in phases. We will start with the committees reviewing all the applications.

This will be a big weekend in Deadwood with concerts on Main Street and a Rodeo at the Days of 76. There is a lot going on this weekend.

11. Committee Reports

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

Commissioner Williams asked if we have talked to the Chamber and Department of Tourism about printing costs. Mr. Kuchenbecker stated we haven't as of yet. As we get into the budget session we will be reviewing it.

Commission Diede attended the Chamber Mixer and it was not well attended.

Commissioner Posey stated they will be doing more Butt Bragades through the Main Street Initiative.

12. Adjournment

The Historic Preservation Commission Meeting adjourned at 5:51 p.m.

ATTEST:

Chairman, Historic Preservation Commission

Minutes by Bonny Anfinson, Historic Preservation Office/Recording Secretary