

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, September 28, 2016 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of HPC Meeting Minutes – September 14, 2016
3. Voucher Approval
4. Old or General Business
5. New Matters before the Deadwood Historic District Commission
 - a. Demolition by Neglect Proposed Ordinance Changes – Kevin Kuchenbecker – Exhibit A
6. New Matters before the Deadwood Historic Preservation Commission
 - a. PA H16047 – Janice Heffron-Fogle – 12 Washington – Stucco Repairs – Exhibit B
 - b. PA H16048 – Mel and Deb Maynard – 10 Crescent – Replacing Windows and Awnings – Exhibit C
 - c. PA H16049 -- Gordon Mack – 143 Charles – Addition to House/Raise Garage – Exhibit D
7. Revolving Loan Fund & HP Programs Update
 - a. HP Program Applications – Exhibit E
 - i. Deb Brown – 31 Burnham – Windows/Doors Program
 - ii. Lee C. Thompson – 47 Forest – Windows/Doors Program
 - iii. Lee C. Thompson – 47 Forest – Siding Program
 - iv. Lee C. Thompson – 47 Forest – Elderly Resident Program
 - v. Janice Heffron-Fogle – 12 Washington – Siding Program
 - vi. Bill Walsh – 36 Lincoln – Elderly Resident Program
 - b. Revolving Loan Program – Exhibit F
 - i. Larry Shama – 5 Jackson – Request to Refund \$5.00
 - ii. Larry Shama – 5 Jackson – Request to Forgive Loan
 - iii. Leslie Christiansen – 18 Washington – Request to forgive Siding Loan
 - iv. Berg Jewelry & Gifts (Dale Berg) – 650 Main – Commercial Loan Request
 - v. Travis Floyd – 81 Stewart – Request to Forgive
 - vi. Margaret Fierro-Bailey – 36 Jackson – Extension Request
 - vii. Charles Williamson – 340 Williams – Extension Request
 - viii. Michael Hall – 66 Taylor – Request to Forgive
 - ix. Janice Heffron-Fogle – 12 Washington – Request to Forgive
 - c. Retaining Wall Program Disbursements
8. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
9. Staff Report (*Items 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

Executive Session for Legal Matters per South Dakota Codified Law 1-25-1 (3)

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

CITY OF DEADWOOD

HISTORIC PRESERVATION COMMISSION

Wednesday, September 28, 2016

Present Historic Preservation Commission: Lyman Toews, Thomas Blair, Dale Berg, Lynn Namminga, Michael Johnson and Chuck Williams were present.

Absent: Chair Laura Floyd and Ms. Terri Williams, City Attorney, were absent.

Present City Commission: Mayor Chuck Turbiville and Dave Ruth were present.

Present Staff: Kevin Kuchenbecker, Historic Preservation Officer, Mike Walker, of NeighborWorks-Dakota Home Services and Jerity Krambeck, Recording Secretary, were all present.

All motions passed unanimously unless otherwise stated.

A quorum present, Vice Chair Blair called the Deadwood Historic Preservation Commission meeting to order Wednesday, September 28, 2016 at 5:00 p.m. in the Commission Room located in the City Hall at 108 Sherman Street in Deadwood, SD.

Approval of September 14, 2016 HPC Minutes:

It was moved by Mr. Toews and seconded by Mr. Namminga to approve the HPC minutes of Wednesday, September 14, 2016 as presented. Aye – All. Motion carried.

Voucher Approval:

It was moved by Mr. Berg and seconded by Mr. Namminga to approve the HP Operating Account in the amount of \$43,088.40. Aye – All. Motion carried.

Old or General Business:

Vice Chair Blair introduced Dr. Margie and Kevin Akin, who have been studying and surveying the coins that were located in the China Town archeological dig and coins located at the Days of '76 Museum. Mrs. Akin stated there was a very rare and exciting find today, which is an 1883 "Racketeer Nickel". A detailed report will be forthcoming.

New Matters before the Deadwood Historic District Commission

Demolition by Neglect Proposed Ordinance Changes – Kevin Kuchenbecker – Exhibit A

Mr. Kuchenbecker stated the committee has looked at Minimum Maintenance and Demolition by Neglect ordinance for quite some time and they believe the process needs to be streamlined. The current 4-page ordinance has been reduced to two pages, removing Historic Preservation Commission's direct involvement from minimal maintenance. The proposed changes are to the ordinance under Sections 17.68.090 Minimum Maintenance Requirements and 17.68.100 Demolition by Neglect. It does not increase the power of the Historic Preservation Commission over the properties; if anything, it decreases the Historic Preservation Commission's involvement by removing minimal maintenance from the demolition by neglect portion of the existing ordinance and reduces Demolition by Neglect to cover only historic parts of the town. It creates a systematic approach to demolition by neglect that does not conflict with minimal maintenance and therefore does not impede the work of the Public Works Department and frees up the Building Inspector to do his job without conflicting regulations.

It was moved by Mr. Toews and seconded by Mr. Johnson to recommend approval to the City Commission changes to the Deadwood Codified Ordinance under Sections 17.68.090 Minimal Maintenance Requirements and 17.68.100 Demolition by Neglect. Aye- All. Motion carried.

New Matters before the Deadwood Historic Preservation Commission

PA H16047 – Janice Heffron-Fogle – 12 Washington – Stucco Repairs – Exhibit B

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 12 Washington Street, a contributing structure located in the Ingleside Planning Unit, constructed in 1898. The applicant is requesting permission to repair cracking stucco and paint and repair the cracking chimney.

It was moved by Mr. Berg and seconded by Mr. Namminga 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 grant project approval at 12 Washington Street. Aye- All. Motion carried.

PA H16048 – Mel and Deb Maynard – 10 Crescent – Replacing Windows and Awnings – Exhibit C

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 10 Crescent Drive, a non-contributing structure located in the Large Flat Planning Unit, constructed in 1963. The applicant is requesting permission to replace windows and awnings.

It was moved by Mr. Berg and seconded by Mr. Toews 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 grant project approval at 10 Crescent Drive. Aye- All. Motion carried.

PA H16049 – Gordon Mack – 143 Charles – Addition to House/Raise Garage – Exhibit D

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 143 Charles Street, a contributing structure located in Cleveland Planning Unit, circa 1935. The applicant is requesting permission to construct an addition to the back and side of the house. The applicant submitted a request for project approval at the 09/14/16 meeting, but was denied. The applicant has made changes to the plan and is resubmitting for consideration of a project approval. Mr. Kuchenbecker stated 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. Mr. Kuchenbecker thanked Mr. Mack for his willingness to work with Historic Preservation to minimize damage to the historic resource.

It was moved by Mr. Toews and seconded by Mr. Berg 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 grant project approval at 143 Charles Street. Aye- All. Motion carried.

Revolving Loan Fund and Historic Preservation Programs:

Grant Program – Exhibit E

Deb Brown – 31 Burnham – Windows/Doors Program
Lee C. Thompson – 47 Forest – Windows/Doors Program
Lee C. Thompson – 47 Forest – Siding Program
Lee C. Thompson – 47 Forest – Elderly Resident Program
Janice Heffron-Fogle – 12 Washington – Siding Program
Bill Walsh – 36 Lincoln – Elderly Resident Program

It was moved by Mr. Johnson and seconded by Mr. Toews to accept the consent agenda as presented and approve the Program Applications as submitted. Aye - All. Motion carried.

Revolving Loan Program/Disbursements

It was moved by Mr. Johnson and seconded by Mr. Namminga to approve HP Grant Fund disbursement in the amount of \$1,100.00, based on information as presented by Mr. Walker, of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

It was moved by Mr. Toews and seconded by Mr. Johnson to approve HP Revolving Loan Fund disbursement in amount of \$23,175.25, based on information as presented by Mr. Walker, of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

The delinquency report was presented by Mr. Walker.

Revolving Loan Program - Exhibit E

Larry Shama – 5 Jackson – Request to Refund \$5.00
Larry Shama – 5 Jackson – Request to Forgive Loan
Leslie Christiansen – 18 Washington – Request to forgive Siding Loan
Berg Jewelry & Gifts (Dale Berg) – 650 Main – Commercial Loan Request
Travis Floyd – 81 Stewart – Request to Forgive
Margaret Fierro-Bailey – 36 Jackson – Extension Request
Charles Williamson – 340 Williams – Extension Request
Michael Hall – 66 Taylor – Request to Forgive
Janice Heffron-Fogle – 12 Washington – Request to Forgive
Mr. Walker suggested removing Berg Jewelry & Gifts (Dale Berg) – 650 Main – Commercial Loan Request from the consent agenda. Mr. Toews concurred.

It was moved by Mr. Namminga and seconded by Mr. Berg to approve the Revolving Loan Program Applications as submitted. Aye - All. Motion carried.

Mr. Berg recused himself.

Berg Jewelry & Gifts (Dale Berg) – 650 Main – Commercial Loan Request

It was moved by Mr. Johnson and seconded by Mr. Toews to approve the Revolving Loan Program Application for 650 Main Street, as submitted. Aye - All. Motion carried.

Mr. Berg returned.

Revolving Loan Fund/Retaining Wall Program Update:

Retaining Wall Applications

No applications were addressed at this meeting.

Retaining Wall Program Disbursements

No disbursements were addressed at this meeting.

Items from Citizens not on Agenda

Bob Ekman, Deadwood Mountain Grand, Jeff Lamont, Project Developer, and Tom Hallberg, Architect, presented a proposal for building the Chalets of Deadwood Mountain Grand on McGovern Hill. Mr. Williams asked how it would be access. Mr. Ekman stated existing roads. Mr. Namminga expressed concern he has heard from current residents. Mr. Blair asked how much the units would cost. Mr. Ekman stated around \$200,000 - \$400,000 per unit. Mrs. Georgeann Silvernail stated this project is not what Deadwood is about. Mrs. Brett Runge stated it is bad for Historic Preservation and bad for the City of Deadwood and that the City has been trying to maintain the viewshed around and from Mount Moriah Cemetery so you do not have to look at buildings that are not historically accurate, and now this would be right across from Mount Moriah. Mr. Ekman stated they are open to suggestions to make it historically accurate. Mr. Namminga stated it is excessively big. Mr. Ekman stated it is zoned commercial and it could be a much higher use based on the zoning. Mr. Ekman stated there are many people in favor of the project. Mr. Ekman stated Historic Preservation has approved other projects of this size and the Commission needs to be fair. Mr. Williams asked if there has ever been anything of this size on the hill. Mr. Ekman stated there were some industrial uses and residential structures. Mr. Williams asked if the current road meets road specifications. Mr. Kuchenbecker stated from his understanding it currently does not, but that is a Planning and Zoning Commission concern. Mr. Kuchenbecker explained the history of structures on the hillside were relatively few smaller scale houses with the exception of the Slime Plant and associated buildings on the Northern side of McGovern Hill. Mr. Marlin Maynard stated in the history of large structures being built within the City, there was not an impact on residents and as people in Deadwood we have to look at attracting people into Deadwood and it would be counterproductive to not look at the benefit of attracting people into Deadwood. Mr. Maynard stated Deadwood cannot become stagnant and if you rely on tourism, it is a real benefit and necessity to give them things that enhance the attractiveness of the area. Mr. Toews stated he tries to look at things from a historic preservation perspective and there is a very narrow focus; it is not Planning and Zoning and City Commission. Mr. Toews stated he would like to see this project from a historic preservation perspective; preserving the railroad cut and the early roads and reducing the overall mass and scale. Mr. Ekman stated these are to be funded by individual owners and would be built as they are sold. Mr. Kuchenbecker stated this is not presented for action, but for discussion and it is important to look at this project from a historic preservation view. He reiterated his concern on the compatibility of the proposed project as it relates to size, scale and massing.

Staff Report: *(items will be considered but no action will be taken at this time.)*

Mr. Kuchenbecker reported on the following items:

- The Akins have been here all week surveying the coins in the archaeological collections;
- The reinternment for the Deadwood Pioneer will take place September 29 at 11:00 a.m.;
- Today was a revitalization meeting and the committee recommended to hire Dan Shefner;
- A thank you from Newell was received; they finished the Flagg Cabin restoration;
- G.R.A.P.E. Committee is on October 4, 2016 and the Wall of Fame applications will be reviewed;
- The Historic Rehabilitation applications are due November 16, 2016;
- The soda fountain has been returned and is in cold storage;
- The façade for 650 Main Street is coming along and would encourage everyone to see the project and possibly have a meeting at 4:00 p.m. prior to the Historic Preservation Commission Meeting.

Committee Reports:

Vice-Chair Blair read a thank you letter from the Butte County Historical Society for the grant they received.

Adjournment:

There being no other business, the Historic Preservation Commission Meeting adjourned at 6:20 p.m.

ATTEST:

Chairman, Historic Preservation Commission
Jerity Krambeck, Historic Preservation Office/Recording Secretary