

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, March 26, 2008 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to order – Chair Willie Steinlicht
2. Review minutes.
3. Voucher approval.
4. Old Business
 - a. 128 Williams Street – Addition – Bryan and Robin Arsaga
5. New Matters before the Deadwood Historic District Commission
 - a. 637 Main Street – Awning and Exterior Lighting – Patrick Kirwan
 - b. 789 Main Street – Siding, Roofing, Porch – Frank Pavich
 - c. 25 Lee Street – Addition, Re-Roofing and Restoration – Lamont Companies Inc.
6. New matters before the Deadwood Historic Preservation Commission
 - a. 65 Taylor Avenue – Storm Windows – Louie Lalonde
 - b. 10 Pluma Hill Road – Siding – Terry & Sue Hart
 - c. South Dakota State Historical Society Annual Meeting – Sponsorship Request
7. Revolving Loan Fund/Retaining Wall Grant Update.
 - a. Retaining Wall Applications
 - i. 99 Williams Street – Richard Millikan
 - b. Revolving loan disbursements
 - c. Retaining Wall disbursements
8. Items from Citizens not on agenda.
9. Committee Actions and Reports
10. Staff Report
11. Other business
12. Adjournment

CITY OF DEADWOOD

HISTORIC PRESERVATION COMMISSION

Wednesday, March 26, 2008

Present Historic Preservation Commission: Darin Derosier, Ronda Feterl, Mary Ann Oberlander, Steve Olson and Willie Steinlicht. Historic Preservation Officer Kevin Kuchenbecker was also present.

Absent Historic Preservation Commission: Mike Olsen and Matt Pike.

All motions passed unanimously unless otherwise stated.

A quorum being present, Chairman Willie Steinlicht called the Deadwood Historic Preservation Commission meeting to order on Wednesday, March 26, 2008 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes

It was moved by Mr. S. Olson and seconded by Mr. Derosier to adopt a resolution to approve the minutes of March 12, 2008 with the following correction. Page 2, last paragraph regarding 51 Lincoln Avenue. Correct abstention to read: Abstain – Mr. Steve Olson due to having an adjoining fence. Aye - All. Motion carried.

Voucher Approval

Operating Account:

It was moved by Mr. Derosier and seconded by Mr. S. Olson to adopt a resolution to approve the HP Operating Account in the amount of \$37,783.37. Aye - All. Motion carried.

Bonded Account:

It was moved by Ms. Feterl and seconded by Mr. Derosier to adopt a resolution to approve the HP Bonded Account in the amount of \$54,041.49. Aye – All. Motion carried.

OLD BUSINESS

128 Williams Street – Addition – Bryan and Robin Arsaga

Historic Preservation Officer, Kevin Kuchenbecker, reviewed the memorandum containing information from SCI Engineering regarding the 2008 Architectural Survey. He explained that they concluded that the resource in question at 128 Williams Street is still listed as contributing and will be noted as such in the new survey. He added that the State has made a determination based on SDCL 1-19A-11.1, concurred with the staff report, and concluded that the proposed project at 128 Williams Street would have an adverse affect.

Robin Arsaga asked how the engineering firm made their determination and what type of resources and information were used in making their decision. Mr. Kuchenbecker explained that they are professionals

who are qualified under requirements from federal law and they also follow the Secretary of Interior Standards. He added that they were on site and took photographs. Ms. Arsaga asked again how they looked at their specific property located at 128 Williams Street, to which Mr. Kuchenbecker said he did not know. Ms. Arsaga asked if the engineering firm was made aware of the documentation from 2003 that determined their property to be noncontributing. Mr. Kuchenbecker stated that they were not, saying he kept it as simple as possible. He said he simply asked them, based on their review of the project, was 128 Williams Street considered contributing or noncontributing.

Ms. Arsaga asked if she could surmise that the engineering firm looked at the 1993 photo and a current photo to make their determination, to which Mr. Kuchenbecker said he did not know how they made their determination. Ms. Arsaga expressed her disappointment that there was not more information available, and was disappointed that the engineering firm was not made aware of the fact that a determination had been made in 2003; that there was enough of a change to the property that, at that time, the Commission and the Historic Preservation Officer deemed that it could be considered noncontributing. She said she felt strongly that this should have been weighed into their decision. Ms. Oberlander clarified that the engineering firm actually was on site and had reports, adding that the Commission just does not have the full report back at this time. Ms. Oberlander asked Mr. Kuchenbecker if more detailed information could be requested, to which Mr. Kuchenbecker said he could do that.

Mr. Derosier said regardless of whether or not the property is considering contributing or not, he said the Arsagas have worked hard on their property and he did not feel like the remodeling project would have a complete adverse affect on the City of Deadwood, adding that he did not have a problem with the project.

Ms. Feterl asked the Arsagas if they were interested in making alterations so there would not be an adverse affect, adding that there could possibly be financial assistance as well. Ms. Arsaga said they have taken that into consideration and have looked at the original plans to see if there was a way to change them. However, she said they had initially asked, and were allowed, to be noncontributing. She said they proceeded making plans, knowing that five years down the road they could change their property. She said they have went through all the proper motions and feel that what was decided five years ago is now being ignored. Mr. Arsaga went on to say that if there was enough evidence in 2003, to say that the changes to the property were enough to make it noncontributing, why is it considered a contributing property today.

Mr. Steve Olson asked what the official avenue would be to have a house moved from a contributing to a noncontributing list. Mr. Kuchenbecker said the process is to take a request to the State for review where they either approve it or deny it. It would then be sent to the National Park Service who would review it and make a final decision. Ms. Arsaga said she thought this process had been done and wondered why Mr. Jim Wilson, former Historic Preservation Officer, had not been contacted to find out this information. She added that instead of everyone assuming the proper steps were not taken, why not contact Mr. Wilson and find out if possibly the proper steps were taken. Mr. Kuchenbecker said the State had no record of this, to which Ms. Arsaga again asked if Mr. Wilson had been contacted to see if this had been done, as he may have some useful information. Ms. Arsaga said she had reports that were addressed to Mr. Wilson and the Historic Preservation Board, as well as the South Dakota State Historic Preservation Board, stating a list of the changes that were made to the property so a determination could be made on the status of the home. She again expressed that it should not be assumed that this was not done. Mayor Toscana stated that if this was done there would be proper documentation, regardless of what Mr. Wilson would

have to say. However, Mr. Toscana said it would not be a problem to contact Mr. Wilson and find out how the decision was made.

Ms. Feterl asked the Arsagas if they would be willing to meet with Joy McCracken from Neighborhood Housing Services and Kevin Kuchenbecker to see what finances would be available for the project and possibly weigh that into consideration. Mr. Arsaga stated again that they wanted to be considered noncontributing, which is what they thought they have been since 2003.

Ms. Oberlander said she did not think they would ever be asked to undo anything that has been done up to this point, as everything done was done in good faith. She added that because the engineering firm still says the house is contributing, it puts the Commission in a predicament because they have been unable to follow the trail completely. She added that it would not be a problem to have a special meeting for the Arsaga property if the information could be obtained as soon as possible. Ms. Oberlander also wanted the Arsagas to consider what could be done to keep it contributing; not taking out the vinyl windows or undoing what they have already done. She added that she understood the Arsagas were caught in a unique situation, but felt all questions had to be answered before a decision could be made.

Ms. Arsaga reiterated their disappointment that there was urgency two weeks ago to find out the information, and two weeks later there is little information available. She stated that more should have been found out from the engineering firm. Mr. Steinlicht asked Mr. Kuchenbecker to find an answer by 5:00 pm on Friday and asked the Arsagas to talk with Joy McCracken and Kevin Kuchenbecker. He said that maybe a special meeting could be called on Monday or Tuesday. Mayor Toscana said that it would depend on the people being available that Mr. Kuchenbecker needed to talk to, adding that the Historic Preservation Office would do everything possible to make that happen.

It was moved by Mr. S. Olson to continue this until they can get the answers on where the State and Federal is on this, and also to have a special meeting at the earliest convenience once those answers are available. Feterl seconded for discussion.

Ms. Arsaga added her disappointment on the newspaper article regarding this issue two weeks ago, where an inference was made that the Arsagas had not obtained or received permission to install the vinyl windows. She said they did obtain permission to install those windows and would like the newspaper to clarify that.

Mr. Arsaga asked how they could find his property to be contributing when it now has vinyl windows and a skylight. Mr. Kuchenbecker said it might not have been enough of a change to make it noncontributing. Mr. Kuchenbecker also added that back in 1993 the asbestos siding was removed and replaced with a material that looked more like the original siding, which was a step of removing an inappropriate alteration and making it closer to contributing. *Aye – Feterl, Oberlander, S. Olson & Steinlicht. No – Derosier. Motion carried.*

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

637 Main Street – Awning and Exterior Lighting – Patrick Kirwan

Kevin Kuchenbecker explained that the applicant was asking for a Certificate of Appropriateness to remove the exterior speakers and light fixtures that were denied on a previous application, and to add

awnings that would fit into the openings above the storefront windows, as well as removing the inappropriate lighting. He added that the proposed project would not have an adverse affect on the historic character of the resource or the National Landmark District. ***It was moved by Mr. Derosier and seconded by Mr. S. Olson to approve the Certificate of Appropriateness at 637 Main Street for the removal of the lights and the placement of the awnings, with the color of the awnings to be approved by the Historic Preservation Officer before being placed on the building. Aye – All. Motion carried.*** (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

789 Main Street – Siding, Roofing, Porch – Frank Pavich

Kevin Kuchenbecker explained that the applicant is requesting a Certificate of Appropriateness for roofing, siding, painting, and reconstruction of porches at 789 Main Street, a contributing building built in 1924. He said the applicant proposes to re-roof the resource with architectural asphalt shingles, replace damaged siding with new wooden lap siding to match existing reveal, replace the front door which was already approved in 2007, paint a three-color scheme, and reconstruct and repair front and rear porches to match existing design. He explained that there is currently a wooden floor and the applicant proposes a concrete base to avoid continuous rot. He said that the proposed project would not have an adverse affect.

Mr. Pavich explained to the Commission that he did not want to alter the look of the building, he just wanted to improve it. He said his biggest challenge has been ice build up and a lot of wind blowing into the porch. He said what he would like to do, which was Keith Umentum and Kevin Kuchenbecker's idea, is to pour a concrete slab as far as decking is concerned. He added that he would like to make it as maintenance-free as possible. Mr. S. Olson asked if composite decking would be an option, to which Mr. Pavich said he thought about that, but did not think the Commission would accept that. Mr. Kuchenbecker said composite is a material that could be looked at. Mr. Pavich said he is awaiting a price to see what stamped concrete would cost him, so that it could be stamped to make it look like brick or wood, which would fit the neighborhood very well, but it would also depend on the cost. Mr. Derosier asked if composite material would be slick, to which Mr. Pavich said he checked into it and found it to be less slick than wood.

It was moved by Mr. Derosier and seconded by Ms. Feterl for a Certificate of Appropriateness at 789 Main Street as presented for the improvements. Aye – All. Motion carried.

Kevin Kuchenbecker explained that the applicant has also applied to be entered into the Revolving Loan Siding Program. ***It was moved by Ms. Feterl and seconded by Mr. Derosier to approve accepting 789 Main Street into the Siding Program. Aye – All. Motion carried.*** (The staff report is attached hereto on Exhibit B and incorporated herein by this reference.)

25 Lee Street – Addition, Re-Roofing and Restoration – Lamont Companies, Inc.

Kevin Kuchenbecker reminded the Commission that four weeks ago there was a presentation from Lamont Companies regarding the Pineview. He said they had submitted a Certificate of Appropriateness for the rehabilitation of the exterior and re-roofing of the Pineview, as well as the addition of the new building adjacent to 25 Lee Street. He added that the proposed work meets the Secretary of Interior Standards for Rehabilitation, as well as the South Dakota Codified Law regarding new construction and would not have an adverse affect on the historic character of the building or the historic character of the district. Mr. S. Olson asked if they are looking at a clad or wood window, to which Mr. Kuchenbecker said it would be an all-wood window. ***It was moved by Ms. Feterl and seconded by Ms. Oberlander to***

approve the Certificate of Appropriateness for 25 Lee Street as presented. Aye – All. Motion carried.
(The staff report is attached hereto on Exhibit C and incorporated herein by this reference.)

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

65 Taylor Avenue – Storm Windows – Louie Lalonde

Mr. Kuchenbecker said the applicant is requesting to install wooden storm windows to the residence at 65 Taylor, a contributing structure located in the Historic Overlay District, which was built in 1898. He said the applicant proposes to install four (4) new wooden storm windows and the proposed changes would not have an adverse affect to the historic character of the building or the National Historic Landmark District. ***It was moved by Mr. Derosier and seconded by Ms. Oberlander to approve the storm windows at 65 Taylor. Aye – All. Motion carried.***

Mr. Kuchenbecker said the applicant has also submitted an application to be considered into the Window Program. ***It was moved by Mr. Derosier and seconded by Ms. Feterl to accept the applicant into the Window Program. Aye – All. Motion carried.*** (The staff report is attached hereto on Exhibit D and incorporated herein by this reference.)

10 Pluma Hill Road – Siding – Terry & Sue Hart

Mr. Kuchenbecker said the applicant is requesting Project Approval to install vinyl siding to their residence at 10 Pluma Hill, a noncontributing structure located in the Pluma Historic Overlay Zone. He said the resource was built in 1966 and the applicant proposes to replace the existing siding which appears deteriorated and damaged, with a vinyl siding on all four sides with shutters on the north side, adding that the foundation would stay the same. He said the structure is a noncontributing resource and is outside the National Historic Landmark District, and the proposed changes would not have an adverse affect to the character of the building or the historic character of the district. He added that every attempt should be made for the substitute material to match the original siding in size, profile and finish so that there is no change to the character of the building. Mr. Kuchenbecker said consideration should be given to the precedence of vinyl siding, even though it is outside of the district.

Sue Hart was present and explained that the siding would not be replaced. She explained the house would be wrapped in a material and then covered with vinyl siding. She said the siding is 100% maintenance free with a 50-year warranty for hail damage. She explained that her husband is disabled, so they are trying to make their home as maintenance-free as possible. Mr. S. Olson asked what type of siding was on the house currently, to which Ms. Hart said it is a wood siding that has been painted several times. She said there are cracks in the siding, as well as some rot. She explained that during the Grizzly Gulch Fire the house was foamed and slurried numerous times, so it had to be power washed, which made the siding very rough.

Ms. Feterl asked if there was any other material that is as maintenance-free as the vinyl siding, to which Mr. Kuchenbecker said there might be substitute material available. Ms. Oberlander asked Ms. Hart if they have checked into any other product, to which Ms. Hart said they have, but are favoring the vinyl siding because of the cost, as well as savings with energy costs and the maintenance issue. Mr. Derosier asked when the property was annexed into the city limits, and Mr. Kuchenbecker said it was in the early 1980s. Commissioner Silvernail asked if the Historic Commission had any control outside of the 1989 Core district, and Mr. Kuchenbecker said there have been projects reviewed outside of the district. ***It was***

moved by Mr. Derosier and seconded by Ms. Feterl that due to the fact it is outside of the Historic Landmark District, and due to the fact it is noncontributing and that it was not part of Deadwood in 1981, to approve the work at 10 Pluma Hill as submitted.

Ms. Feterl asked what other materials were looked at and Ms. Hart said they went to Knecht's and looked at lap siding and steel siding. Ms. Feterl asked Mr. Kuchenbecker what other materials could be used that would be maintenance free. He said other properties have used cement board or a material called smart board. Ms. Feterl asked what the cost difference would be, but Mr. Kuchenbecker did not know. Mr. Steinlicht asked if this property could be considered into the siding program if they used a different material, but was told the property is noncontributing and therefore would not qualify. Mr. S. Olson said he would like to see something used other than vinyl siding, even though the property is outside the Landmark District.

Ms. Hart asked the Commission why they did not favor the vinyl siding. Mr. S. Olson said his personal reason for not favoring the vinyl siding is that it is prone to maintenance problems, as well as it not holding up to snow settling up to it. Ms. Hart said she wished the representative for the vinyl siding could have been present, because during his presentation he took a piece of the siding and hit it with a baseball bat and you could not tell where it had been hit. She said she also hit the siding with a rolling pin and still could not tell where it had been hit. She said they were concerned about the snow, but said the concrete block foundation of their home will remain the same. Ms. Feterl said her concern was that the Commission would be setting a precedence for vinyl siding whether it is inside or outside the Historic Landmark District. Mayor Toscana said there has been vinyl siding approved by the previous Commissions.

Ms. Hart added that the reason they decided not to go with steel is because steel attracts cold. She said the vinyl would therefore help with energy costs. Mr. Kuchenbecker said there is an upcoming workshop called Blue Vinyl Workshop, and has heard that if you get a house "too tight" there can be some problems with mold and moisture. Mayor Toscana suggested that Ms. Hart talk to a builder regarding these problems. ***Roll Call: Aye – Derosier, Feterl, Oberlander and Steinlicht. No – S. Olson. Motion carried.*** (The staff report is attached hereto on Exhibit E and incorporated herein by this reference.)

South Dakota State Historical Society Annual Meeting – Sponsorship Request

Mr. Kuchenbecker explained that he received a request to sponsor the Annual History Conference to be held in Rapid City, SD on May 2-3, 2008 and said the Historic Preservation Commission has sponsored this in the past. ***It was moved by Ms. Oberlander and seconded by Ms. Feterl to approve a \$750.00 contribution from the 2008 Advocacy budget to the South Dakota State Historical Society's Annual History Conference. Aye – All. Motion carried.***

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE

Retaining Wall Applications

99 Williams Street – Richard Millikan

Mr. Kuchenbecker said there was one retaining wall application for Richard Millikan at 99 Williams Street. He said that the upper wall is in poor shape and in need of repair and does not meet the eligibility for

location and meets the criteria for acceptance. *It was moved by Mr. Derosier and seconded by Mr. S. Olson to accept 99 Williams Street into the Retaining Wall Program. Aye – All. Motion carried.*

Revolving Loan Disbursements

It was moved by Ms. Feterl and seconded by Ms. Oberlander to approve the Revolving Loan disbursement in the amount of \$38.00. Aye – All. Motion carried.

Retaining Wall Disbursements

None.

Joy McCracken explained the financial report and delinquency report as presented.

ITEMS FROM CITIZENS NOT ON AGENDA:

Mr. Steinlicht welcomed Lenny Schroeder who is running for Deadwood City Commission.

COMMITTEE ACTIONS AND REPORTS:

Archeology: Commission representatives: Mike Olsen (chair), Darin Derosier and Willie Steinlicht
Mr. Kuchenbecker said five requests have been received for Archaeology Camp.

Archives: Commission representatives: Mike Olsen (chair), Steve Olson, and Matthew Pike
No report was given.

Budget: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht.
No report was given.

Cemetery: Commission representatives: Steve Olson (chair), Mary Ann Oberlander and Matthew Pike
No report was given.

GIS: Commission representatives: Steve Olson (chair), Mary Ann Oberlander, and Matthew Pike
No report was given.

Grants, Recognition, Advocacy & Public Education: Commission representatives: Ronda Feterl (chair), Willie Steinlicht and Mary Ann Oberlander.
No report was given.

Loans: Commission representatives: Ronda Feterl (chair), Willie Steinlicht and Darin Derosier.
No report was given.

Adams Museum: Commissioner Mary Ann Oberlander.
Ms. Oberlander said she was unable to attend the meeting, but Mary Kopco asked her to report on the following:

Phase I of the HARC Building is ahead of schedule.

They are in the process of hiring a director of education to handle public programming and this will be paid for through the Vucurevich Grant.

The National Science Foundation will be here the third week of April, which will also include scientists who are interested in projects at the new Lab. She said they have been asked to put on a major exhibit at the Golden Hills to represent the geology, as well as the physics that have been in the Homestake.

The HBO Series is going to repackage the first three (3) seasons of "Deadwood." In conjunction with that series they are going to have mini-documentaries, which will highlight Deadwood from the 1879 fire to the present.

There is an article in a top-selling magazine called "Wild West" specifically on the Adams Museum and House. There is also supposed to be an article in "True West" magazine.

Chamber of Commerce: Commissioners Willie Steinlicht and Darin Derosier.

Mr. Steinlicht said that Tom Blair and Tom Nelson were at the meeting, along with Bill Walsh to talk about the 30 years that the St. Patrick's Day parade has taken place. It was decided that there would be two parades; one on Saturday and one on the original St. Patrick's Day.

Days of '76: Commissioner Steve Olson.

Mr. Steve Olson said the interim building is coming along.

Neighborhood Housing Services: Commissioner Willie Steinlicht.

Mr. Steinlicht said the new office building is coming along well.

Planning and Zoning: Commissioner Mike Olsen.

No report was given.

Demolition By Neglect: Commissioner Matthew Pike (chair) and Steve Olson.

No report given.

Policies and Procedures: Commission representatives: Matthew Pike (chair) plus entire HPC

No report was given.

Historic Preservation Staff:

Historic Preservation Officer, Kevin Kuchenbecker, reported on the following:

Mike Runge has been busy with research requests, collections management and the symposium.

He received a letter from the Black Hills Fort Pierre Railroad Roundhouse. He said they are looking for an engine and have requested consideration of a loan of the Whitcomb 1938 Switch Engine that is now in storage at the Engine House. *It was moved by Mr. S. Olson and seconded by Mr. Derosier to refer this issue to the Archive Committee for consideration. Aye – All. Motion carried.*

OTHER BUSINESS:

None.

ADJOURNMENT:

Hearing no further business to come before the Commission at this time and no objections from the Commission or the audience, Chairman Steinlicht adjourned the meeting at 6:08 pm.

ATTEST:

Willie Steinlicht
Chairman, Historic Preservation Commission
Ronda Morrison, Recording Secretary