

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION

Wednesday, September 28, 2005

Chairman Speirs called the meeting of the Deadwood Historic Preservation Commission to order on Wednesday, September 28, 2005 at 5:17 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

PRESENT HISTORIC PRESERVATION COMMISSION: Darin Derosier, Dr. Michael Guilbert, Louie Lalonde, Mary Ann Oberlander, Ann Ochse, Willie Steinlicht; Jim Wilson – Historic Preservation Officer.

ABSENT HISTORIC PRESERVATION COMMISSION: None.

ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA:
None.

REVIEW MINUTES:

It was moved by Ms. Ochse, seconded by Ms. Lalonde and carried unanimously to adopt a resolution approving the minutes of the budget hearings conducted on July 7, 12, 13, 14, 19, 20, 21 and 25, as presented; and to approve the minutes of the budget hearing conducted on July 6th with the following correction: the last sentence in the first full paragraph on page two (2) shall state: The historic preservation budget is reduced by these interdepartmental charges.

It was moved by Mr. Steinlicht, seconded by Ms. Ochse and carried unanimously to adopt a resolution approving the minutes of the September 14, 2005 meeting, with the following correction: reference to Dakota Granite under the Tippie Tombstone Grant discussion on page six (6) shall be changed to Deadwood Granite and Marble.

VOUCHER APPROVAL:

Operating Account:

It was moved by Ms. Lalonde, seconded by Ms. Ochse, and carried unanimously to adopt a resolution approving the HP Operating Account in the amount of \$157,618.55.

Bonded Account:

It was moved by Ms. Lalonde, seconded by Ms. Ochse and carried unanimously to adopt a resolution approving the HP Bonded Account in the amount of \$ 101,449.06.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:

390 Williams, Augsbury, Fence

Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant requests Project Approval to construct a front yard fence at 390 Williams, Deadwood.

Applicant: Lee Augsbury
Owner: Lee Augsbury
Constructed: 1880

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic Preservation Commission shall use the following criteria in granting or denying Project Approvals:

General Factors:

1. Historic significance of the resource: The building is listed as a contributing structure in the Deadwood National Landmark Historic District.

2. Architectural design of the resource and proposed alterations: The new fence is designed to keep dogs out. The will be 4' high or less and will be made of painted wood or metal. It will not be a solid fence. This is in accordance with the fence guidelines found in the Design Guidelines for Residential Neighborhoods. A fence of that height will not obscure the view of the house. The owner and his fence contractor will consult with staff to make sure that the guidelines are adhered to. The fence is reversible if a new owner chooses to make changes.

Attachments:

Photo

Recommended Decision: The proposed fence will not encroach upon, damage or destroy the historic building or the Deadwood National Landmark Historic District and will have no adverse effect on the Deadwood National Landmark Historic District.

Ms. Ochse questioned the need to approve the fence since the height does not exceed six feet (6'). Mr. Wilson stated although no permit is required, the design guidelines require commission approval for any fence located on the property line. If the setback restriction of five feet (5') is met, approval by the commission is not necessary. It was moved by Dr. Guilbert, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve the Application for Project Approval to construct a front yard fence at 390 Williams, as proposed by Lee Augsbury, the applicant and property owner, as presented.

68 Main, Kellar, Temporary Structure

Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant requests Project Approval to erect a temporary storage structure at 68½ Main, Deadwood.

Applicant: Ken Kellar
Owner: Ken Kellar
Constructed: NA

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic Preservation Commission shall use the following criteria in granting or denying Project Approvals:

General Factors:

1. Historic significance of the resource: The adjacent buildings are not contributing structures in the Deadwood National Landmark Historic District.

2. Architectural design of the resource and proposed alterations: The proposed new structure is similar to the one that the same owner requested and received approval for at 27 Forest. The structure does not require a foundation and will not be visible from a public right-of-way.

Attachments:

Recommended Decision: The proposed project will have no adverse effect on the Deadwood National Landmark Historic District if the structure is appropriately colored, green, brown, tan or gray and if it is erected for a specific period of time not to exceed one year.

It was moved by Mr. Steinlicht and seconded by Ms. Lalonde to adopt a resolution to approve the Application for Project Approval to erect a temporary storage structure at 68½ Main, as proposed by Ken Kellar, the applicant and property owner, as presented. Troy Love, Executive General Manager of Historic Bullock Properties (HBP), stated the temporary structure is similar in appearance to the example provided in the commission packet. Although Mr. Love did not have the dimensions of the proposed structure, he stated it would not be visible from the road. Following discussion, the aforementioned motion was amended by Mr. Steinlicht with the concurrence of Ms. Lalonde and carried unanimously to approve the Application for Project Approval to erect a temporary storage structure at 68½ Main, as proposed by Ken Kellar, the applicant and property owner, for a period of time not to exceed one year.

Davis Tombstone Grant

Chairperson Speirs noted the applicant desires something different than the standard marker. It was moved by Dr. Guilbert, seconded by Ms. Ochse and carried, with Ms. Oberlander abstaining, to adopt a resolution to approve the Cemetery Headstone Grant Application and funding in the amount of \$400 for Levi Randall Davis, as presented by the applicant, Robert C. Oliver.

Mary Kopco, South Dakota Festival of Books

Mary Kopco reported on the success of the recent 3rd Annual Festival of Books and thanked the commission for its support.

Mr. Wilson displayed the framed event poster that was presented in appreciation for funds received to assist with the Festival of Books.

Adams Museum, Additional Work

It was moved by Ms. Lalonde, seconded by Dr. Guilbert and carried unanimously to adopt a resolution to authorize staff to execute a contract with MAC Construction Company to provide colored concrete infill at two exterior fish tank locations at the north and west center windows of the Adams Museum at a total project cost of \$1,108.00, as presented.

Wall of Fame Nominees

Mr. Wilson reported that the committee has designated a location at city hall for the Wall of Fame plaques. It was moved by Mr. Steinlicht, seconded by Dr. Guilbert and carried unanimously to adopt a resolution to concur with the committee recommendation to include the following individuals in the Wall of Fame: Richard McGrath, Robert H. Krug, James Bernard Dunn, Josephine Arsaga and Harry A. Daniels.

Permission to Advertise for Bids: Wall of Fame Plaques

It was moved by Ms. Oberlander, seconded by Ms. Lalonde and carried unanimously to adopt a resolution authorizing staff to advertise for bids for Wall of Fame Plaques, as presented.

Permission to Advertise for Bids: Neighborhood Signs

It was moved by Ms. Lalonde, seconded by Dr. Guilbert and carried unanimously to adopt a resolution authorizing staff to advertise for bids for Neighborhood Signs, as presented.

Mount Moriah Sign Replacement

It was moved by Ms. Ochse, seconded by Ms. Lalonde and carried, with Ms. Oberlander abstaining, to adopt a resolution authorizing the replacement of four (4) wooden signs at Mt. Moriah Cemetery with bronze signs, utilizing bonded funds totaling approximately \$4,000, as presented.

Wood Window Replacement Special Needs Loan

Mr. Wilson was directed to revise the guidelines for the special needs loan/wood window program to include verbiage and applicable conditions whereby non-transient residential spaces in the downtown historic district could be considered for assistance utilizing the program.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION:

45 Sherman, Kellar, Demolition

Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant is requesting a Certificate of Appropriateness to demolish the building at 45 Sherman Street, Deadwood.

Applicant: Bullock Hotel
Owner: Kenneth Kellar
Constructed: Post 1948

On August 24, 2005, the Deadwood Historic District Commission considered a request by the owner of 45 Sherman to demolish the building. The request was denied with the stipulation that it would be reconsidered when the owner provided plans for the site after the demolition took place.

The owner has provided the attached plan for a minimal fence to be placed behind a row of shrubs next to the sidewalk. The fence is to prevent automobiles parking in the lot from pulling forward into the fence.

I have also included copies of the original application.

Troy Love, Executive General Manager of Historic Bullock Properties (HBP), presented a request to install minimal fencing and shrubs next to the sidewalk on the site of the proposed demolition.

For the record, Ms. Lalonde stated Deadwood is “starving for space” potential retailers can acquire at a reasonable cost. She objected to the demolition of any existing building if additional retail space can be made available by completing repairs and improvements. Mr. Love stated a retail venture would not be considered for this site because of future plans for a convention center. He said HBP has other properties available for potential retail businesses. In terms of this building and the future development of that site, he said the building will inevitably come down. It is cost prohibitive to salvage the building and the issue is one of life safety and liability.

Ms. Ochse asked if Building Inspector Keith Umentum has visited the site. Mr. Love was uncertain and stated “this is a shack – it is not an historic building”. Ms. Ochse stated “when you come into Deadwood, you see hotels and parking lots”. Mr. Love reiterated the plans for future development of a convention center. Ms. Ochse asked the question, “are you going to use it for parking?” to which Mr. Love responded “we don’t need any more parking”. It was moved by Mr. Derosier and seconded by Dr. Guilbert to adopt a resolution to approve the Application for a Certificate of Appropriateness to demolish the building located at 45 Sherman Street, as proposed by Kenneth Kellar, the applicant and property owner, as presented. Ms. Ochse stated she would support the demolition of the property if it does not result in another parking lot thereafter.

Discussion commenced regarding the landscaping proposed on the site. Ms. Oberlander described the landscaping shown as insufficient. Mr. Love offered to meet with Mr. Wilson regarding the landscaping. Mr. Love concluded by stating nothing is going to occur on this site in the immediate future, regardless of the outcome of this meeting. Hearing no further discussion, upon vote taken thereon, the motion carried with Ms. Ochse voting NO.

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

Retaining Wall Fund Voucher

None.

Revolving Loan Fund Disbursements

It was moved by Ms. Lalonde, seconded by Ms. Ochse and carried unanimously to adopt a resolution to approve the historic preservation revolving loan fund cash disbursements journal totaling \$23,220.63 to the following: Minitman Home Improvements \$9,030.63; All Seasons Heating and Cooling, \$5,345.00; Lawrence Title, \$142.00; Lawrence Title \$121.00; Lawrence County Register of Deeds, \$60; Lawrence County Register of Deeds, \$22; Hole in the Wall Renovation, \$8,500.00, as presented.

NHS Financial Report

No report was given at this meeting.

Review Loan Delinquency Report

Jeanna Dewey provided an update regarding the individuals listed on the loan delinquency report, in addition to The Gillmore. The loan payoff for Billy Mathieu is expected after the loan closing date of September 30th; communications with Valerie Wayne indicate “the check is in the mail” for the next two months.

666 Main, Van Den Eykel, Loan

It was moved by Ms. Lalonde, seconded by Ms. Ochse and carried unanimously to adopt a resolution to approve zero percent (0%) interest/life safety loan funding in the amount of \$21,045 for VanDenEykel, 666 Main Street, as presented.

52 Lincoln, Conrad, Place in Retaining Wall Program

It was moved by Dr. Guilbert, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve the Retaining Wall Grant Program Application for 52 Lincoln, Tim and Monica Conrad, as presented.

Additional Loan Restrictions

It was moved by Ms. Ochse and seconded by Dr. Guilbert to adopt a resolution to approve the Memorandum of Understanding and Agreement, additional loan restrictions, dated September 27, 2005, as presented. Mr. Wilson suggested that the signature block be changed to Neighborhood Housing Services rather than Deadwood Historic Preservation Commission Chairman as the agreement shall be part of the loan paperwork compiled and executed by NHS. The aforementioned motion was amended by Ms. Ochse with concurrence of Dr. Guilbert, and carried unanimously to adopt a resolution to approve the Memorandum of Understanding and Agreement, additional loan restrictions, dated September 27, 2005, revising the signature block on page two (2) by replacing “Deadwood Historic Preservation Commission Chairman” with “Neighborhood Housing Services”.

COMMITTEE REPORTS:

Loan Committee:

There is nothing to report at this time.

Budget Committee:

Ms. Lalonde reported that everything looks good.

Museum/Homestake Archives:

Ms. Ochse reported the Homestake meeting was postponed to next month; she stated there is nothing to report from the Museum meeting.

Advocacy/HistoryLink/Public Education:

Mr. Wilson reported the next issue of the HistoryLink newsletter will be distributed Friday. Ms. Ochse inquired about the Presidential Neighborhood signs, which remain in negotiations between the manufacture and the supplier. The signs will be replaced at no cost.

Hall of Fame and Recognition:

Chairman Speirs thanked the members of the committee for their efforts.

Cemetery Committee:

Ms. Oberlander reported the St. Ambrose proposals are ready to be mailed and the committee discussed the signs for the Mt. Moriah cemetery which were approved tonight. Mr. Wilson stated the committee is seeking a cost estimate for the installation of a section of curb on David Street approximately fifty feet (50') long near the cemetery gate. Responding to Chairperson Speirs' inquiry, Mr. Wilson stated the drainage issue at Mt. Moriah is still being worked on at Mt. Moriah.

Outside of Deadwood Grants:

Nothing to report at this time.

Representative to Chamber of Commerce:

Mr. Derosier reported on matters discussed at a recent chamber of commerce meeting including a request from First Gold to move the façade near that property. Mr. Wilson stated the commission would consider a demolition

permit and Project Approval prior to relocation of the façade. Mr. Derosier stated Wild Bill Days is one of the top one hundred events in the nation.

Representative to NHS:

Nothing to report at this time.

Representative to Planning & Zoning:

Chairman Speirs and Ms. Lalonde will both attend the meeting next Wednesday.

ITEMS FROM CITIZENS NOT ON THE AGENDA:

41 Railroad, Nelson, Demolition

Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant requests Project Approval to demolish 41 Railroad, Deadwood.

Applicant: Sperlin, Inc.
Owner: Delmar Nelson
Constructed: 1900/1976

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic Preservation Commission shall use the following criteria in granting or denying Project Approvals:

General Factors:

1. Historic significance of the resource: This house is a non-contributing structure in the Deadwood National Landmark Historic District.

2. Architectural design of the resource and proposed alterations: The building is substantially gutted and suffers from severe code deficiencies. The building is not historic and retains no historic characteristics. The owner proposes to construct a new single family residence on the site. Plans will be submitted to the Commission at the next available opportunity.

Attachments:

Site Map

Photos

Recommended Decision: Removal of the building will have no adverse effect on the Deadwood National Landmark Historic District.

Jody Kunz presented a request to demolish the existing non historic house at 41 Railroad and plans to construct a new home on that lot. It was moved by Dr. Guilbert, seconded by Mr. Steinlicht to adopt a resolution to approve the Application for Project Approval to demolish the house at 41 Railroad, as proposed by Sperlin, Inc, the applicant on behalf of the property owner, Delmar Nelson, as presented. Regarding plans for the new construction, Mr. Wilson stated that prior to a building permit be issued, the commission will consider an Application for Project Approval for the new home to be built on the property. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

ABC Business Supply, 79 Sherman Street, paint building exterior

Dave Sulentic, owner of ABC Business Supply, 79 Sherman Street, informed the commission that he intends to paint the exterior of the building. He inquired if there were any programs that might provide financial assistance

with the project. Following discussion, the commission directed him to meet with Mr. Wilson prior to the agenda deadline for the next meeting.

Mary Burket, Administrative Services

At the request of Chairman Speirs, Ms. Lalonde, Ms. Ochse and Mr. Steinlicht volunteered to serve on a committee to review this matter.

OTHER BUSINESS:

Mr. Wilson announced that True West magazine again selected Deadwood as the Best Western Historic Site and the Best Wild West Town.

Mr. Wilson displayed color samples for the sign permit application for First Gold considered by the commission at the last meeting. The commission reacted favorably to the color samples provided.

EXECUTIVE SESSION:

Chairman Speirs announced there would be an executive session at the conclusion of the meeting to discuss contractual and personnel matters with no action to be taken thereafter.

ADJOURNMENT:

As there was no further business to come before the commission at this time, Ms. Lalonde moved, seconded by Ms. Ochse and carried unanimously to adjourn the meeting at 6:05 p.m.

ATTEST:

Ms. Rose Speirs
Chairman
Historic Preservation Commission
MBurket/Secretary