DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, July 15, 2020 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

1. Call Meeting to Order

2. Approval of July 1, 2020 Minutes

3. Sign Review Commission
   Carolyn Weber – 610 Main Street – Install One Projecting Sign and One Window Sign

   Action Required:
   a. Approval/Denial by Sign Review Commission

   Nir Giist – 629 Main Street – Install Four Window Signs

   Action Required:
   b. Approval/Denial by Sign Review Commission

4. Planning and Zoning Commission
   Transfer Property, Consolidating Parcels and Adjusting Property Lines – McGovern Hill – Donald & Anita Hansen, Jadene & Joel Wescott
   Lot E-1A Revised of Crawford Addition II Located in the NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

   Formerly Lot E-1A of Tract E-1 Revised of Crawford Addition II and a Portion of Probate Lot 299

   Action Required:
   a. Approval/Denial by Planning and Zoning Commission

5. Items from Staff

6. Adjourn

Please practice CDC's social distancing recommendations.

Please be considerate of others and if you no longer have business activities during the meeting do not feel obligated to remain.

PLANNING AND ZONING COMMISSION
Wednesday, July 1, 2020

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson John Martinisko on Wednesday, July 1, 2020 at 5:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

Planning and Zoning Commission Present: John Martinisko, Bill Rich, Brett Runge, Josh Keehn and Jeff Lawler

Absent:

Board of Adjustments Present: Charlie Struble

Staff Present:
Jeramy Russell, Trent Mohr and Cindy Schneringer

Approval of June 3, 2020 Minutes:
It was moved by Mrs. Runge and seconded by Mr. Keehn to approve the June 3, 2020 meeting minutes. Aye - All. Motion carried.

Sign Review Commission

Tommy Merritt - 612 Main Street - Install New Projecting Sign
Mr. Mohr reported historically this was the original location of Pam's Purple Door. Tommy Merritt would like to install a sign bringing attention to this and it would be along the lines of the other signs designating original sites such as the Jack McCall capture sight and the original Saloon 10 site. The proposed sign and location is in compliance with the ordinance and requires no variance.
It was moved by Mr. Rich and seconded by Mr. Lawler to approve the installation of the projecting sign at 612 Main Street. Aye-All. Motion Carried.

Don Nelson, Celebrity Hotels, Inc. - 623 Main Street - Re-install Wall Sign
Mr. Mohr reported this is to re-install a sign at 523 Main Street and is one of the original signs removed with the Celebrity closed. The sign has been refurbished with no changes. They wish to re-install the sign at its original location. The sign and location are compliant with the ordinance and requires no variance.
It was moved by Mr. Keehn and seconded by Mrs. Runge to approve the re-installation of the wall sign at 623 Main Street. Aye-All. Motion Carried.

Planning and Zoning Commission

Consolidating Parcels and Vacating Utility Easements - 703 Main Street - City of Deadwood
Mr. Russell reported this is the final plat for Outlaw Square. Legally described as Formally Lots 3 and 4A1 Block 20, the Remainder of Lot A Block 20, Lot A in Lot H1 of Lot 17 Block 20 M.S. 72, Lot H-1 of Lot 4 Block 20 M.S. 72, and a Portion of Deadwood Street Right-of-Way Original Townsite, City of Deadwood, in Section 22 T5N, R3E, B.H.M., Lawrence County, South Dakota. The first part is the consolidation of four parcels into one parcel. The second part is to vacate two power easements and

two utility easements. The plat also establishes new easements as well and which will be dedicated on this plat.

It was moved by Mr. Keehn and seconded by Mr. Rich to approve consolidating parcels and vacating utility easements at 703 Main Street. Aye-All. Motion Carried.

Items from Staff (no action taken)

- Mr. Russell reported all staff has been working hard for the past six months on the City of Deadwood's new website which will be launched on August 3rd and also provided an updated on the construction projects going on throughout Deadwood.

- At the request of Commissioner Lawler, Mr. Russell provided an update on the short term rental problem in Deadwood. Mr. Russell stated the city is still struggling with compliance due to the fact this has been a continually growing problem for the last 20 years. The current staff work load and lack of staffing inhibits the ability to continually monitor this on a daily basis. Mr. Russell stated that prior to Covid-19 pandemic, he believed the City was close to partnering with a 3rd party company called LodgingRevs who specialize in the monitoring and compliance of short term rentals.

  Mr. Russell advised staff that a recommendation of approval from the Planning and Zoning Commission may help gain approval from the City Commission. Mr. Russell stated he would get an updated proposal from LodgingRevs to present to the Planning and Zoning Commission at their next meeting on July 15th.

Adjournment:

It was moved by Mrs. Runge and seconded by Mr. Keehn to adjourn the Regular Meeting of the Planning and Zoning Commission. Aye – All. Motion carried.

There being no further business, the Planning and Zoning Commission adjourned at 5:37 p.m.

ATTEST:

Chairman, Planning & Zoning Commission	Secretary, Planning & Zoning Commission

Cindy Schneringer, Planning & Zoning Office/Recording Secretary

OFFICE OF
Planning & Zoning
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-2084

1876 DEADWOOD SOUTH DAKOTA

"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

TRENT MOHR
Building Inspector
Dept. of Planning & Zoning
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SIGN PERMIT STAFF REPORT

Sign Review Commission
July 15, 2020

Applicant: Carolyn Weber
Address: 150 Sherman Street, Deadwood, SD 57732
Site Address of Proposed Signage: 610 Main Street (Brothel Museum / above Eagle Bar)

Computation of Sign Area

Building Frontage: 50 Feet
Total Available Signage: 100 Square Feet
Existing Signage: One projecting sign (Eagle Bar – counted at 50% of size due to landmark status – 27 Square Feet)
Remaining Available Signage Area: 73 Square Feet
Proposed Sign Project: Install one projecting sign (29 Square Feet) and one window sign (3 Square Feet counted at 25% against total allowed).
Proposed Building Materials: Painted metal and vinyl. (see attached rendering).
Proposed Lighting of the Signs: None.
Location of Proposed Sign: Attached is a photograph showing the proposed location on the building.

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The applicant is opening a Museum at this location. These signs are to advertise this business.

The proposed signs and their locations are compliant with the sign ordinance.

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Variances

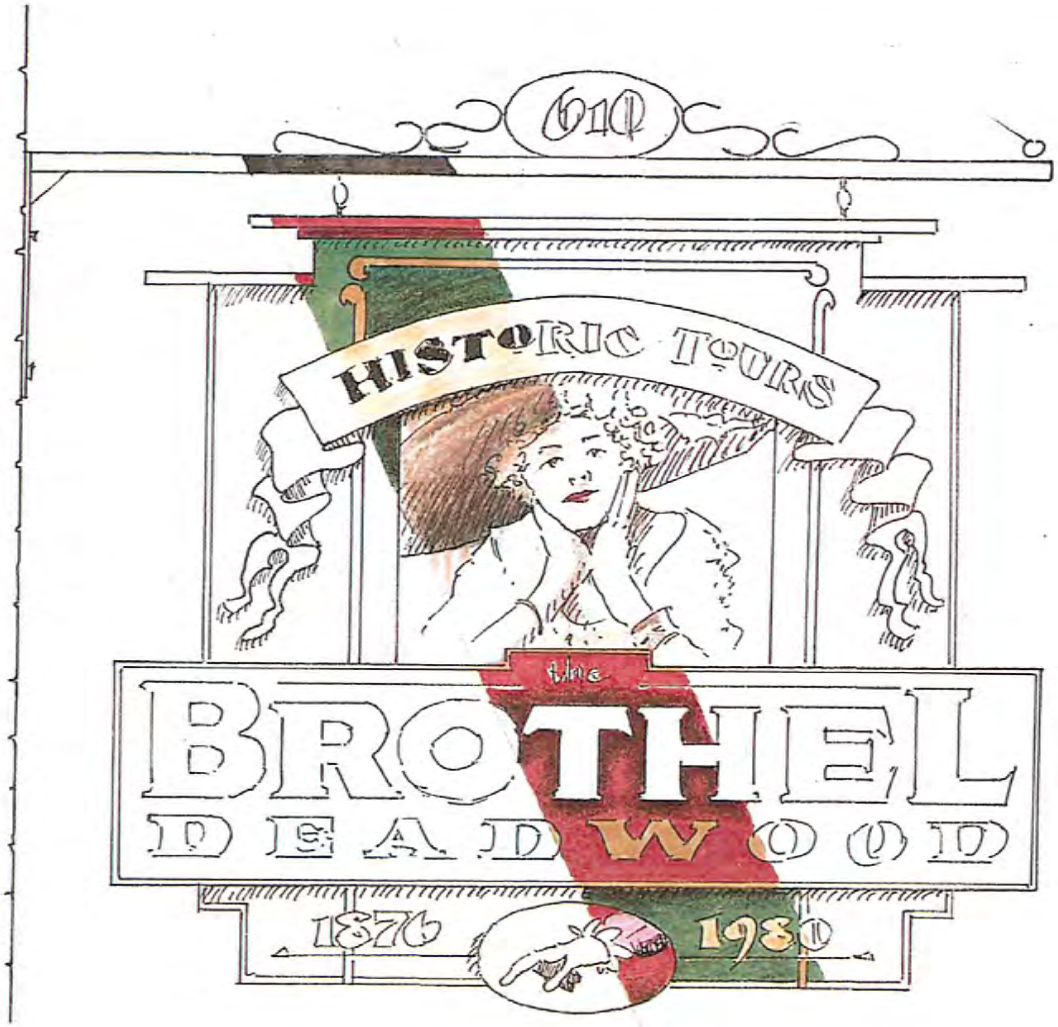
The sign permits application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

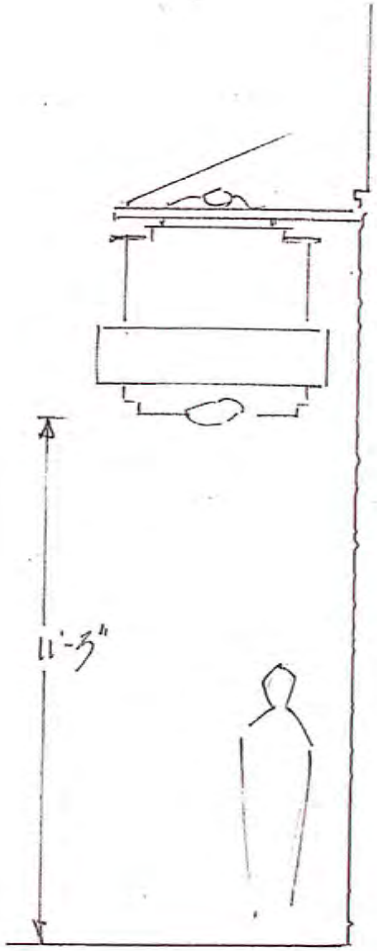
Sign Review Commission Action

Motion to approve permits for new projecting and window sign at 610 Main Street

OR

Motion to deny proposed sign permit application as submitted.





Tim Peterson
ARTIST
3123 E. FAIRGROUNDS LOOP STE. C
SPEARFISH, SD 57783
(605) 642-5794

Designed exclusively for: DEADWOOD HISTORY	Date: 6/29/20
Address: 610 MAIN ST DEADWOOD	Phone: 722-4800

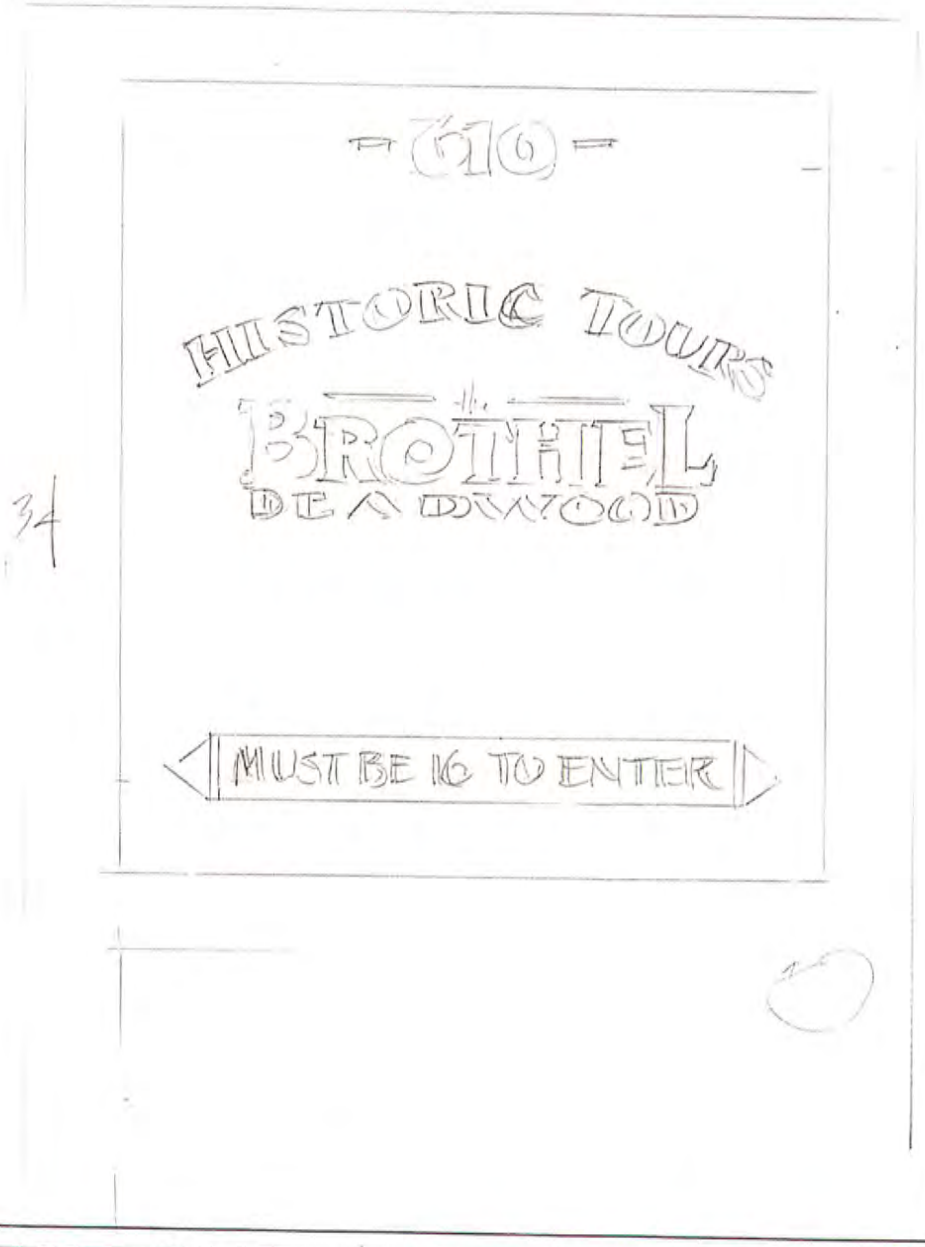
The prices, specifications, and conditions as described are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature Date

50% DEPOSIT REQUIRED ON ALL WORK. BALANCE DUE ON COMPLETION.

This design is the property of the designer, and may not be reproduced in any manner without written permission.

VINYL ON ENTRY DOOR



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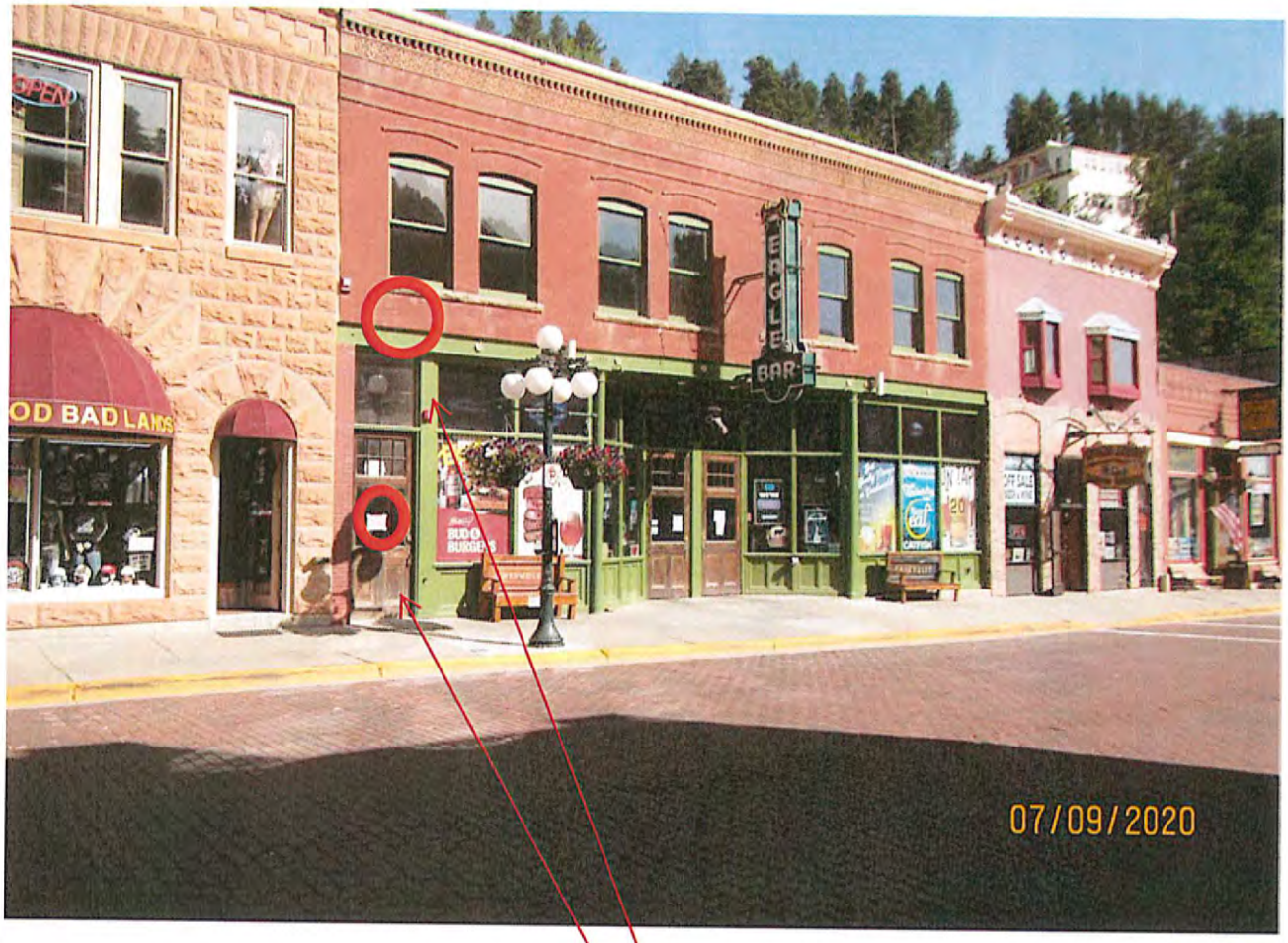

proposed locations of signs.

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SIGN PERMIT STAFF REPORT

Sign Review Commission
July 15, 2020

Applicant: Nir Giist
Address: 653 Main Street, Deadwood, SD 57732
Site Address of Proposed Signage: 692 Main Street (Elk's club, first floor)

Computation of Sign Area

Building Frontage: 45 Feet (1/3 allotted to this tenant space – 15 Feet)
Total Available Signage: Allotted to this tenant 30 Square Feet
Existing Signage: None
Remaining Available Signage Area: 30 Square Feet
Proposed Sign Project: Install 4 window signs and 1 hanging sign, detailed as follows:

- Window signs "A" and "B" (5 Square Feet each counted at 25% = 2.5 Square feet total)
- Window signs "C" and "D" (5 Square Feet each counted at 25% = 2.5 Square feet total)
- Hanging sign "E" (9 Square feet)

Proposed Building Materials: Vinyl and Wood wrapped in vinyl. (see attached photographs).
Proposed Lighting of the Signs: None.
Location of Proposed Sign: Attached are photographs showing the signs as installed.

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The tenant that was sub-leasing this space from the applicant relocated her store. The applicant has now expanded his business he operates at 653 Main Street into this space. These signs advertise that change.

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The proposed signs and their locations are compliant with the sign ordinance.

Variances

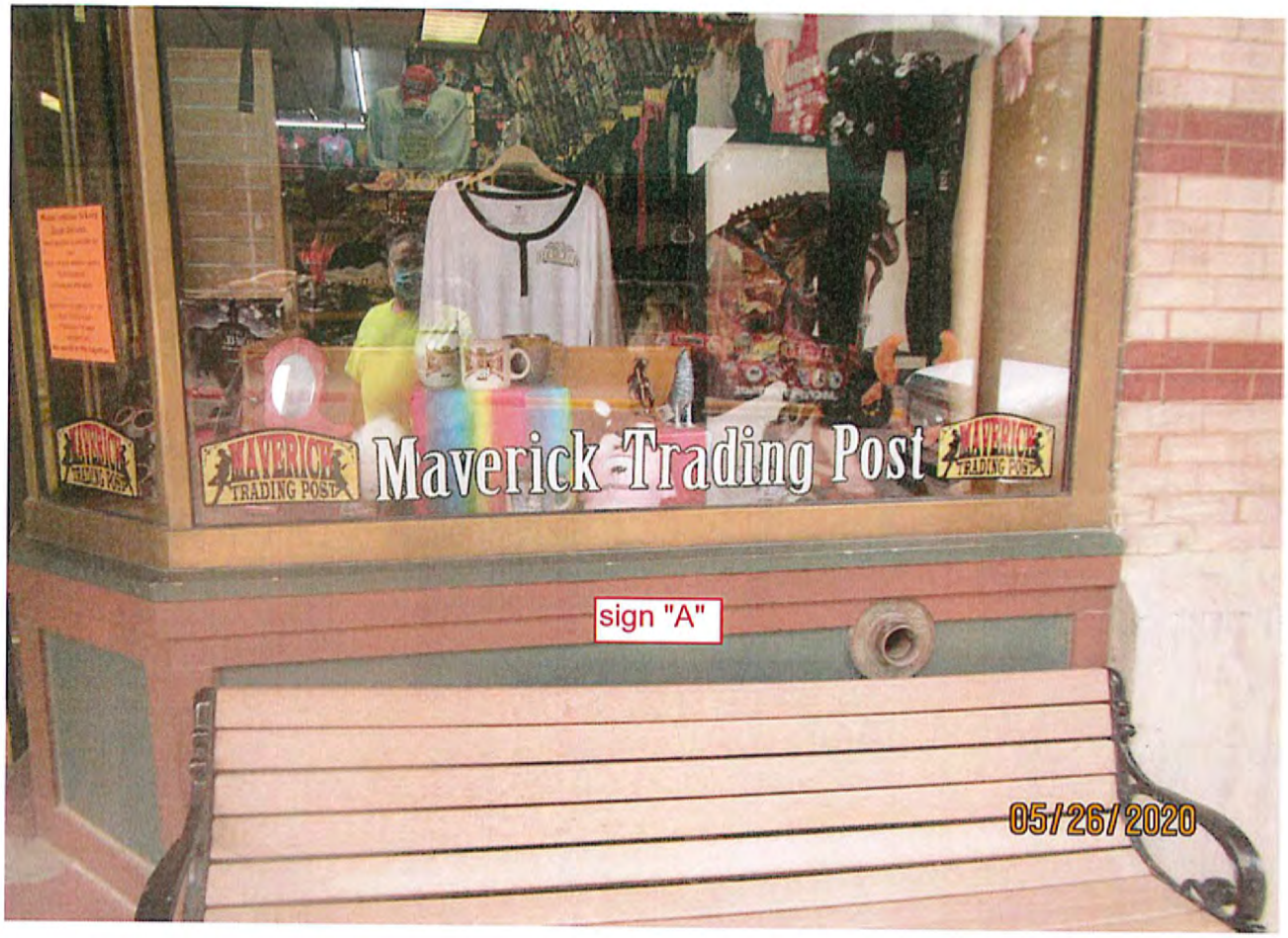
The sign permits application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

Sign Review Commission Action

Motion to approve permits for one new hanging sign and four new window signs at 692 Main Street

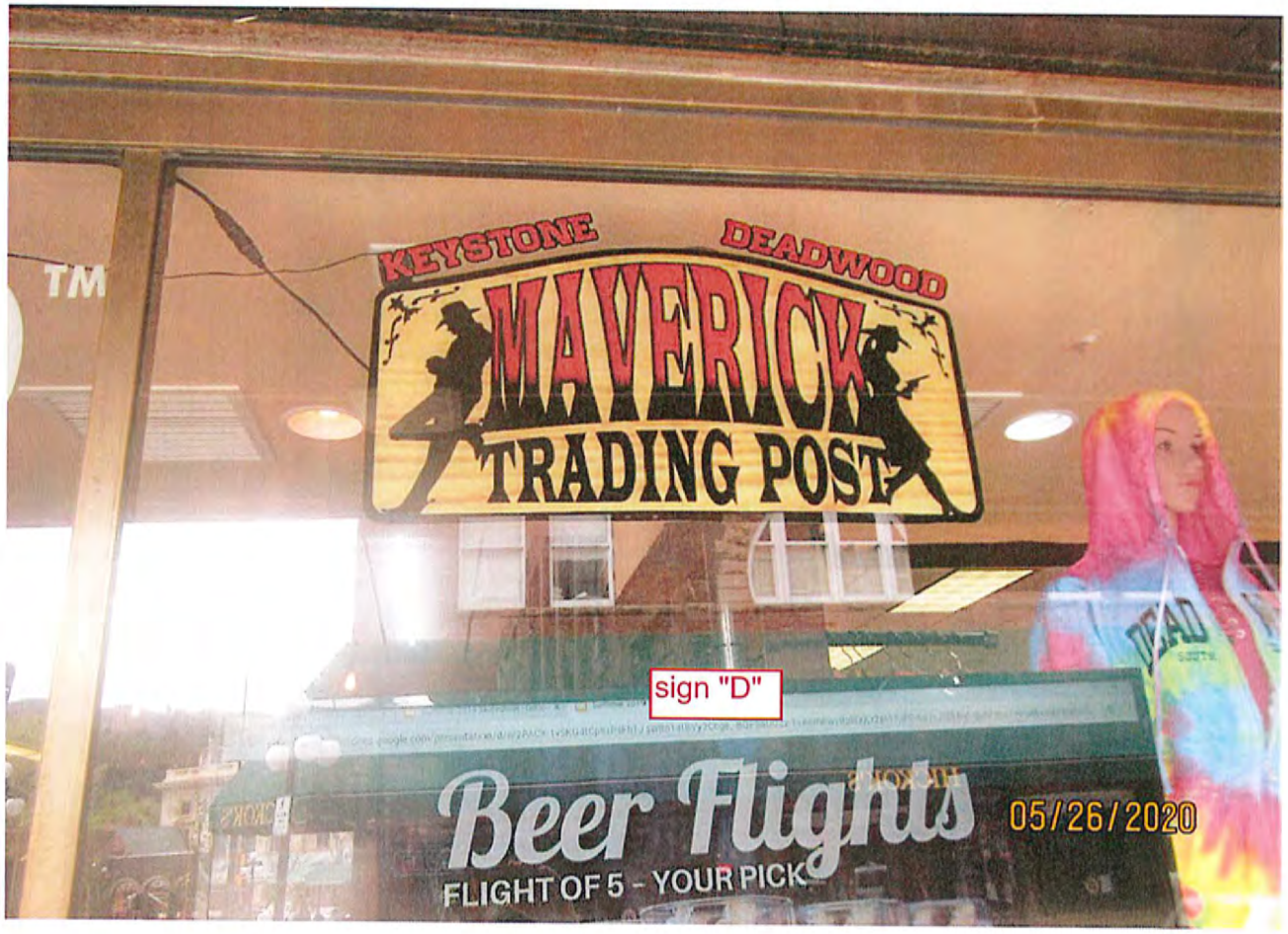
OR

Motion to deny proposed sign permit application as submitted.


MAVERICK
TRADING POST
Maverick Trading Post
MAVERICK
TRADING POST
sign "A"
05/26/2020

WE'RE OPEN!
Thank You
SUPPORT YOUR LOCAL BUSINESSES
MAVERICK
TRADING POST
Maverick Trading Post
MAVERICK
TRADING POST
sign "B"
05/26/2020

KEYSTONE
DEADWOOD
MAVERICK
TRADING POST
sign "C"
05/26/2020


KEYSTONE
DEADWOOD
MAVERICK
TRADING POST
sign "D"
Beer Flights
FLIGHT OF 5 - YOUR PICK
05/26/2020

DEADWOOD
KEYSTONE
MAVERICK
TRADING POST
DEADWOOD
EATERY
sign "E"
05/26/2020

OFFICE OF
PLANNING, ZONING AND HISTORIC PRESERVATION
108 Sherman Street
Deadwood, SD 57732

1876 DEADWOOD PLANNING AND ZONING

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Planning and Zoning Administrator
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jeramyr@cityofdeadwood.com
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STAFF REPORT
PLANNING AND ZONING
July 15, 2020

APPLICANT: Donald & Anita Hansen, Jadene & Joel Wescott

PURPOSE: To Transfer the Property, Consolidating Parcels and Adjusting Property Lines

GENERAL LOCATION: McGovern Hill

LEGAL DESCRIPTION: Lot E-1A Revised of Crawford Addition II Located in the NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

Formerly Lot E-1A of Tract E-1 Revised of Crawford Addition II and a Portion of Probate Lot 299

FILE STATUS: All legal obligations have been completed.

ZONE: R1 – Residential District

STAFF FINDINGS:

Surrounding Zoning:		Surrounding Land Uses
North:	R1 – Residential District	Residential Dwellings
South:	R1 – Residential District	Residential Dwellings
East:	R1 – Residential District	Residential Dwellings
West:	R1 – Residential District	Residential Dwellings

SUMMARY OF REQUEST

The Final Plat for Lot E-1A Revised of Crawford Addition II Located in the NE1/4 of Section 27 has been submitted to facilitate the transfer of the property, consolidating parcels and adjusting property lines. Currently, a portion of the Hansen's driveway crosses into the Westcott's property. They would like to clear this up by transfer of land as opposed to an easement.

OFFICE OF
PLANNING, ZONING AND HISTORIC PRESERVATION
108 Sherman Street
Deadwood, SD 57732

Jeramy Russell
Planning and Zoning Administrator
Telephone (605) 578-2082
jeramyr@cityofdeadwood.com
Fax (605) 578-2084

FACTUAL INFORMATION

1. The property is currently zoned R1 – Residential District.
2. Lot E - 1A is comprised of 1.502 Acres ±
3. The subject property is located within a low density residential designation.
4. Lot E - 1A is not located within a flood zone or flood hazard zone.
5. Public facilities are available to serve the property.
6. The area is currently characterized by open space and a few homes

STAFF DISCUSSION

This parcel will be in compliance with all zoning ordinances and staff recommends approval.

1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown on the plat and serves to "fix in time" the data represented on the plat.
5. The street bounding the lot is shown and named.
6. All certifications are indicated and correct on the plat.
7. Dimensions, angles and bearings are shown along the lot lines.
8. Scale of the plat is shown and accompanied with a bar scale.

ACTION REQUIRED FOR APPROVAL OF FINAL PLAT:

1. Approve/Deny by the Deadwood Planning and Zoning Commission.

PLAT OF LOT E-1A REVISED OF CRAWFORD ADDITION II
LOCATED IN THE NE¼ OF SECTION 27, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

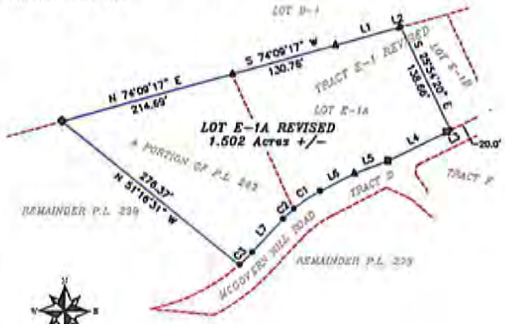
FORMERLY LOT E-1A OF TRACT E-1 REVISED OF CRAWFORD ADDITION II AND A PORTION OF PROBATE LOT 299

NOTES:
BASIS OF BEARING WGS84
TOTAL ACREAGE THIS PLAT 1.502 ACRES +/-

LINE	BEARING	DISTANCE
L1	N 74°09'17" E	60.68'
L2	N 74°09'17" E	11.94'
L3	S 67°15'35" W	5.01'
L4	S 83°40'55" W	79.94'
L5	S 00°52'48" W	43.74'
L6	S 67°34'30" W	47.74'
L7	S 42°57'31" W	55.05'

- ● REBAR & CAP (VREH LS6577)
- ▲ FOUND REBAR & CAP (ARLETH LS3977)
- ■ SPIKE
- ◆ 1-1/4" PIPE M.S. 45 COR. II

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	38.69'	166.50'	13°23'04"	38.61'	S 59°37'09" W
C2	18.12'	166.50'	6°14'02"	18.11'	S 48°04'28" W
C3	21.08'	233.50'	5°10'01"	21.05'	S 45°32'32" W



0 100 200 300

OWNERS:
DONALD & ANITA HANSEN
308 MCGOVERN HILL ROAD
DEADWOOD, SD 57732

JADENE WESCOTT &
JOEL WESCOTT
12565 SHERIDAN BLVD #215
BROOMFIELD, CO 80020

SURVEYOR'S CERTIFICATE

I, LOREN D. VREM, 332A WEST MAIN STREET, LEAD, SOUTH DAKOTA, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA. THAT AT THE REQUEST OF THE OWNER AND UNDER MY SUPERVISION, I HAVE CAUSED TO BE SURVEYED AND PLATTED THE PROPERTY SHOWN AND DESCRIBED HEREON. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE PROPERTY WAS SURVEYED IN GENERAL CONFORMANCE WITH THE LAWS OF THE STATE OF SOUTH DAKOTA AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING. DATED THIS___DAY OF_____, 20___

_____
LOREN D. VREM, R.L.S. 6577

OWNER'S CERTIFICATE
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

_____, DO HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

OWNER:_____ ADDRESS:_____

OWNER:_____ ADDRESS:_____

ACKNOWLEDGMENT OF OWNER
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

ON THIS ___DAY OF_____,20__,BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY

APPEARED_____,
KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES:_____NOTARY PUBLIC:_____

OWNER'S CERTIFICATE
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

_____, DO HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

OWNER:_____ ADDRESS:_____

ACKNOWLEDGMENT OF OWNER
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

ON THIS ___DAY OF_____,20__,BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY

APPEARED_____,
KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES:_____NOTARY PUBLIC:_____

OWNER'S CERTIFICATE
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

_____, DO HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

OWNER:_____ ADDRESS:_____

ACKNOWLEDGMENT OF OWNER
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

ON THIS ___DAY OF_____,20__,BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY

APPEARED_____,
KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES:_____NOTARY PUBLIC:_____

CERTIFICATE OF COUNTY TREASURER
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

I,_____, LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY THAT_____TAXES WHICH

ARE LIENS UPON THE HEREIN PLATTED PROPERTY HAVE BEEN PAID. DATED THIS_____DAY OF_____,20____

LAWRENCE COUNTY TREASURER:_____

APPROVAL OF HIGHWAY AUTHORITY
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

THE LOCATION OF THE PROPOSED ACCESS ROADS ABUTTING THE COUNTY OR STATE HIGHWAY AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

HIGHWAY AUTHORITY:_____

APPROVAL OF THE CITY OF DEADWOOD PLANNING COMMISSION
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

THIS PLAT APPROVED BY THE CITY OF DEADWOOD PLANNING COMMISSION THIS___DAY OF_____,20___.

_____ ATTEST: _____
CHAIRMAN CITY PLANNER

APPROVAL OF THE CITY OF DEADWOOD BOARD OF COMMISSIONERS
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

BE IT RESOLVED THAT THE CITY OF DEADWOOD BOARD OF COMMISSIONERS HAVING VIEWED THE WITHIN PLAT, DO HEREBY APPROVE THE SAME FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS, LAWRENCE COUNTY, SOUTH DAKOTA.

DATED THIS_____DAY OF_____,20____.

ATTEST: _____ _____
FINANCE OFFICER MAYOR

OFFICE OF THE COUNTY DIRECTOR OF EQUALIZATION
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

I, LAWRENCE COUNTY DIRECTOR OF EQUALIZATION, DO HEREBY CERTIFY THAT I HAVE

RECEIVED A COPY OF THIS PLAT. DATED THIS____DAY OF_____,20____.

LAWRENCE COUNTY DIRECTOR OF EQUALIZATION:_____

OFFICE OF THE REGISTER OF DEEDS
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

FILED FOR RECORD THIS____DAY OF_____,20____AT____O'CLOCK,____M., AND RECORDED IN DOC._____

LAWRENCE COUNTY REGISTER OF DEEDS:_____

Prepared By:
PONDEROSA LAND SURVEYS, L.L.C.
332A WEST MAIN STREET
LEAD, SD 57754
(605) 722-3840

Date:	5/6/2020
Drawn By:	R. MATTOX
Project No.:	20-103
Dwg. No.:	20-103.dwg