



Historic Preservation Commission Meeting Minutes

Wednesday, July 12, 2023 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call Meeting to Order

A quorum present, Commission Chair Posey called the Deadwood Historic Preservation Commission meeting to order on July 12, 2023 at 4:00 p.m.

2. Roll Call

HP Commission Chair Bev Posey
HP Commission 2nd Vice Chair Robin Carmody
HP Commissioner Trevor Santochi
HP Commissioner Tony Williams
HP Commissioner Vicki Dar
HP Commissioner Molly Brown

City Commissioner Charlie Struble-Mook

ABSENT: HP Commission Vice Chair Leo Diede

STAFF PRESENT

Kevin Kuchenbecker, Historic Preservation Officer
Bonny Anfinson, Program Coordinator

Susan Trucano, Neighborworks

3. Approval of Minutes

a. Approval of 6/28/23 Meeting Minutes

It was moved by Commissioner Santochi and seconded by Commissioner Dar to approve the minutes of the June 28, 2023 meeting. Voting Yea: Carmody, Williams, Santochi, Posey, Brown, Dar.

4. Voucher Approvals

a. HP Operating Vouchers

It was moved by Commissioner Williams and seconded by Commissioner Santochi to approve the HP Operating Vouchers in the amount of \$82,220.68. Voting Yea: Carmody, Williams, Santochi, Posey, Brown, Dar.

b. HP Revolving Vouchers 7/12/23

It was moved by Commissioner Dar and seconded by Commissioner Santochi to approve the HP Revolving Vouchers in the amount of \$6,747.90. Voting Yea: Carmody, Williams, Santochi, Posey, Brown, Dar.

5. HP Programs and Revolving Loan Program

a. Historic Preservation Loan Requests

Steve & Jill Olson - 53 Lincoln - Loan Refinance Request
Cody Emrick - 9 Shine - Loan Extension Request

It was moved by Commissioner Carmody and seconded by Commissioner Williams to approve the loan refinance request for Steve and Jill Olson, 53 Lincoln and Cody Emrick, 9 Shine, Loan Extension Request. Voting Yea: Carmody, Williams, Santochi, Posey, Brown, Dar.

6. Old or General Business

a. Award 2023 Outside-of-Deadwood Grants for Round 2 in the amount of \$41,550.00.

Mrs. Anfinson stated the Project Committee met and reviewed the 2023 Round 2 Outside of Deadwood Grant applications. There were six grants submitted: City of Belle Fourche, \$3,000.00; City of Brookings, \$10,000.00; Town of Interior, \$10,000.00; Black Hills Mining Museum, \$4,000.00; Dakotaland Museum, \$4,550.00; SD Historical Society Museum Foundation, \$10,000.00. The total grant requests is \$41,550.00 with the remaining fund used for emergency grants. ***It was moved by Commissioner Santochi and seconded by Commissioner Williams to recommend to the City Commission to approve the 2023 Round 2 Outside of Deadwood Grants in the amount of \$41,550.00. Voting Yea: Carmody, Williams, Santochi, Posey, Brown, Dar.***

b. Permission to enter into contract with the State Archaeological Research Center for additional archaeological investigations required as part of the Deadwood FEMA project in the amount of \$14,548.44. (To be paid as part of the FEMA project)

Mr. Kuchenbecker stated as part of the Whitewood Creek FEMA Project archaeological investigation needs to be completed in the area of the former Burlington Northern Roundhouse. As part of the pre-construction, exploratory trenching will be performed to examine this area by city staff with oversight and direction from the State Archaeological Research Center. The Historic Preservation Office has received a quote from the Archaeological Research Center with the South Dakota State Historical Society to oversee and conduct the archaeological work associated with the exploratory trenching. The proposed cost estimate is \$14,548.44 which will be a part of the FEMA project. ***It was moved by Commissioner Santochi and seconded by Commissioner Dar to recommend to the City Commission to enter into a contract with the State Archaeological Research Center to conduct the archaeological work with the exploratory trenching of the former Burlington Northern Roundhouse in the amount of \$14,548.44 to be paid as part of the FEMA Project. Voting Yea: Carmody, Williams, Santochi, Posey, Brown, Dar.***

7. New Matters Before the Deadwood Historic District Commission

a. COA 230073 - KR Deadwood Sherman St. - 51, 53, 55 Sherman St. - Amend the exterior light fixture location.

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. The Applicant is requesting permission to revise the exterior light fixture locations, which were originally approved by HPC. Although no exact locations were given in the original application, the applicant indicated that the fixtures would be directly above the column capitals. After further investigation, it was determined that a structural beam is located in the wall behind the intended fixture locations. The applicant requests approval to move the fixtures up approximately 12" to 16" so the electrical pathway will avoid the beam, and also avoid the stone windowsill and quoining. The Historic Preservation Commission did approve a request to install light fixtures on the exterior of the building at their March 8, 2023 meeting. Staff is concerned the light fixtures will be more noticeable at this location. The proposed work and changes do encroach upon, but does not damage or destroy a historic resource and it does have an adverse effect on the character of the building but will not have an effect on the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. Commissioner Dar stated she is concerned because of what happened with Midnight Star and the tone of the lights is still not correct. Commissioner Williams stated when they are installed and if they are too bright they need to be dimmed down. They need to be a certain wattage and the Historic Preservation Commission reserves the right to direct intensity. Commissioner Brown stated the lumens should not exceed 3,500. ***It was moved by Commissioner Williams 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 with the stipulation once the lights are installed the applicant will work with staff on the proper intensity and lumens of the soft lighting. Voting Yea: Carmody, Williams, Santochi, Posey, Brown. Voting Nay: Dar.***

- b. COA 230074 - Joel Livengood/Kristie Vellafuerte - 732 Main St. - Move stair access to rear deck and add drainage walkway

Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 732 Main Street, a contributing structure located in the Deadwood City Planning Unit. The applicant is requesting permission to relocate the stairs for the rear deck to face the south at bump out instead of east at rear corner allowing for easier access to front yard and less side exposure to front of street. Also install a drainage walkway on the right side from front corner to stairway leading to the rear deck. The applicant applied and was approved at the June 14, 2023 meeting for the construction of this deck. This request is to change the location of the steps for access to the deck. It is staff's opinion the proposed deck extension from what was originally approved continues to encroach upon the resource and the originally approved Certificate of Appropriateness should stand. The proposed work and changes do encroach upon, but does not damage or destroy a historic resource but does have an adverse effect on the character of the building and the historic character of the State and National Register Historic

Districts or the Deadwood National Historic Landmark District. ***It was moved by Commissioner Santochi and Seconded by Commissioner Brown 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: Carmody, Williams, Santochi, Brown, Dar. Voting Nay: Posey***

8. New Matters Before the Deadwood Historic Preservation Commission

a. PA 230072 - JoLynn Lawson - 8 Dunlop - Install Flag on Garage Doors

Mr. Kuchenbecker stated the applicant has submitted an application for work at 8 Dunlop Avenue, a non-contributing structure located in the First Ward Planning Unit. The applicant is requesting a consideration for the flag installed on the garage doors. The applicant received approval to construct a modular type log structure and a two-car garage in September of 2021. The original application stated the trim will match the neighboring buildings. Since the construction there has been a flag design placed on the garage doors. The applicant is seeking permission to allow for the flag design to remain. Using the guidelines set forth by the Deadwood historic Preservation Commission, it is staff's opinion, while patriotic and colorful, the proposed work and changes does not encroach upon, damage or destroy a historic resource but does have an adverse effect on the character of the building and the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. A flagpole with the American Flag would be more appropriate in this case. Mr. Kuchenbecker read a hand out submitted by Peter Christeleit, President of the Dunlop Homeowners Association stating:

We support Jolynn Lawson's garage door flag. The flag is a historical symbol. The Rodeo Grounds neighborhood does not appear to have early historic homes that we could find. There is a variety in style, color, decorations etc. in this area. The flag as we know it, is a historic symbol of the United States established by Congress on April 4, 1818 with the number of stars determined by the number of states at that time and provided for the addition of one star for each new state. The flag stands for freedom and liberty and is not only flown to represent the United States, but also to also honor our military and veterans. How can this not be "historic for the area"? If the criteria denies a beautiful, respectful representaiton of our nations flag, then how did the city allow a huge glaring neon sign on a very modern hotel to be allowed just across from the rodeo grounds. Why wasn't that building required to "blend in" and be "historic" in style.

Complaint: How can the complaint of one anonymous person be allowed to deny another residents rights, And why did they not immediately complain instead of waiting 9 months. There are so many city employees that drive by everyday, including the Trolleys, and no one has questioned it's validity. The door is not visible from 14A or easily seen from Dunlop Ave, depending on which direction you are traveling. It is very tastefully done and adds a beautiful highlight to our area.

Dunlop Townhouse HOA: Jolynn has conformed with the HOA(s request of paint matching the townhomes. Two of the other owners display flags and #3 even has a red door. We have displayed patriotic variations of the flag on our own door #1. There is a majority support for the door.

This is not a sign: A sign is defined by The Britannia Dictionary as 'IA piece of paper, wood, etc. with words or pictures on it that gives information about something.'

Local Support: Members of our family & friends have visited with neighbors, and others in Deadwood and not one person had any complaint. The comments are overwhelmingly positive. People love the door and many stop to take pictures of it. There are a number of veterans living in the area, as well as our neighbor in #2 who is a Viet Nam Veteran & they all really appreciate what Jolynn has done with her garage door.

Conclusion: Both my wife and I come from military family's and it's nice to see a flag as beautiful as this to remind us what it stands for and the sacrifices made by those to defend it. With all the chaos going on in our country, seeing this beautiful American flag rendition is a breath of fresh air! Respectfully Submitted, Peter Christeleit, President of the Dunlop Homeowners Association, & Linda Christeleit.

Mr. Santochi stated everyone here loves the flag. The problem is what if someone puts something on the door like a piece sign, a rainbow. We have standards here. It has nothing to do with it being an American flag. It has to with this now being part of the structure. Mr. Williams stated this is opening a door which could cause other issue. Mrs. Posey asked has anyone seen another garage in Deadwood with a flag on it. Mr. Santochi stated this is not a matter of patriotism. We are all patriots. We are charged with doing a job here. We have taken an oath and its to protect Deadwood's National Historic Landmark District. Commissioner Dar stated this sets a precedent. ***It was moved by Commissioner Santochi and seconded by Commissioner Dar based upon the evidence presented, I move to make a finding that this project does not encroach upon, damage, or destroy an historic property, however, it does have an adverse effect on the character of the building and the historic character of the Deadwood National Historic Landmark District. Voting Yea: Carmody, Williams, Santochi, Posey, Brown, Dar.***

It was moved ;by Commissioner Santochi and seconded by Commissioner Dar based upon the guidance in the U.S. Department of the Interior standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A & 1-19B, et seq, I find that the project is adverse to Deadwood and move to deny the project as presented and request the flag be removed within 90 days. Voting Yea: Carmody, Williams, Santochi, Posey, Brown, Dar.

- b. PA 230069 - Kyle Heckman - 358 Williams - Exterior Repairs

Mr. Kuchenbecker stated the applicant has submitted an application for work at 358 Williams St., a contributing structure located in the Forest Hill Planning Unit in the City of Deadwood. The applicant is requesting permission to re-roof, replace siding

with five-inch smooth Hardie Plank and remove the false half-gable eave. Install wooden doors and storm doors on the front and rear of the structure, replace windows on the upper rear with wooden double hung windows and install wooden storm windows on the remaining windows. Also requesting permission to remove the window on the back left side of structure. Remove the crumbling chimney of the right side of the structure. Replace concrete steps with wood and repair the terrace wall and replace with stone to match the retaining wall. This structure originally had a two-story bay window when first constructed and the front door was on the other side. In the 1920's or 1930's the bay window was removed, entry door moved, and the false half gable eave was added on the front wall. The applicant is also applying for the loan programs. Staff would like additional time to conduct research to determine the effects of the proposed changes and if they have an adverse impact on the resource. Staff recommends continuing this item. ***It was moved by Commissioner Dar and seconded by Commissioner Williams to continue this request until the July 26, 2023 meeting. Voting Yea: Carmody, Williams, Santochi, Posey, Brown, Dar.***

9. Items from Citizens not on Agenda

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

10. Staff Report

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

- a. 2024 HPC Budget Meeting - 8:00 a.m. July 25, 2023 - Deadwood City Hall

Mr. Kuchenbecker stated the 2024 budget meeting is scheduled for July 25, 2023, 8:00 a.m. in City Hall. Dedication of the McGovern Hill interpretative panel is July 18, 11:00 a.m. at the Homestake trailhead. The loan committee will be moved to 10:00 a.m. that day. Another wall has fallen, this one is located on Van Buren.

We have hired a new Administrative Assistant for Planning, Zoning and Historic Preservation. She will be starting next Wednesday.

11. Committee Reports

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

Commissioner Dar stated the Farmers Market is a success. There will be 20 vendors this Friday.

Commissioner Posey stated the Community Picnic is this Sunday at Gordon Park.

12. Adjournment

The Historic Preservation Commission Meeting adjourned at 4:49 p.m.

ATTEST:

Chairman, Historic Preservation Commission

Minutes by Bonny Anfinson, Historic Preservation Coordinator