**January 5, 2016**

# HISTORIC PRESERVATION COMMISSION
## Council Chambers
## Butte-Silver Bow Courthouse

Members Present: Steve Hinick, Bob McCarthy, Mitzi Rossillon, Jennifer Petersen, John Weitzel and Butch Gerbrandt

Members Excused: Bill Ryan

Staff: Mary McCormick – Historic Preservation Officer
Roxie Larson, Secretary

**M I N U T E S**

**I.** **Call to Order** - The Historic Preservation Commission meeting was called to order at 5:35 P.M.

**II.** **Roll Call –** Roll call was taken and a quorum was established.

**III.** **Reading/Approval of Minutes** - Mr. Hinick moved to approve the minutes of December 1, 2015 Mr. Weitzel seconded the motion.

The voice vote in favor of the motion was unanimous.

**IV.** **Public Comment – Items on Agenda**

**V.** **NEW/OLD BUSINESS**

A. Election of Officers – Chairman and Co-Chairman

Mr. McCarthy stated I would nominate our current Chairman, Steve Hinick to be the Chairman. Mr. Gerbrant seconded the motion.

Mr. Hinick stated I nominate Mitzi Rossillon as the Co-Chairman.

Mr. McCarthy made a motion to nominate Steve Hinick as the Chairman and Ms. Rossillon as the Co-Chairman for the coming year. Mr. Gerbrant seconded the motion.

The voice vote in favor of the motion was unanimous.

B. Demolition COA: 1405 and 1419 W. Granite, Owner Digger Digs
Design Review COA: Granite Street Apartments, DS Architects.

Mr. Hinick questioned we have already been over this property once before.

Ms. McCormick stated we recently completed a determination of eligibility for the houses at 1405 and 1419 W. Granite. These two residential properties are on the western extent of our National Historic Landmark District, but were overlooked by the previous inventory (early to mid-1980s). I did the inventory work and determined that both properties contribute to the Landmark District, and this Commission concurred with my findings. So we are now at the demolition review process.

The Demolition Review COA submitted to the HPC outlined the reasons for the property owner's request for demolition permits: to make room for construction of the Granite Street Apartments. The house at 1419 is a Craftsman bungalow with a 1950s addition; it has been very well maintained over the years and was just vacated recently. The other house is a ca. 1903 workers cottage. Someone I recently spoke said it was in good condition when they lived there in the 1990s. It has been not occupied for a while, and I don't know what the interior is like but exterior looks to be in fair condition. Both of these properties are directly across the street from the Montana Tech campus. The Granite Street Apartments are proposed to serve Montana Tech students even though the project will be privately owned and operated.

I submitted a Design Review COA for the Granite St. Apartments based on the design concept developed by Dowling Studio Architects of Helena for the project proponents. I would like to have the architect come up and do his presentation. First though, I like you know that the property owner has offered both houses for sale. He listed them with a realtor on December 10th. The bungalow that was recently occupied is being offered for $10,000 and the cottage is being offered for $1,000. Potential buyers would have to pay for the cost to relocate either building and the proponents would like to have the buildings gone by March 1st when they plan to initiate construction. The property owner has also expressed willingness to offer materials for salvage if demolition occurs.

Mr. Josh Vincent stated I work for Water and Environmental Technologies in Butte and we are the engineers working on behalf of the owner Terry Holzwarth who is here as well. Any questions I can't answer he is happy to address. We approached Mary three or four months actually to just make sure we followed the correct process to get this thing done appropriately. A little background on the project, Tech is chronically limited by lack of on campus

housing. This project is adjacent to Tech but is a private development but that is the reason for the project. We have tried to do everything we can to mitigate for the demolition, we have offered the houses for sale at a nominal price to give them time to move. The owner would like to go to construction in the spring to have these available a year from now for the students for the fall of 2017. He is willing to offer salvage of materials for the local groups as long as they have all appropriate liability protection.

Ms. McCormick stated I would like to commend the applicants for coming in early to meet with me, it is very much appreciated.

Mr. William Grant stated I am an employee of Dowling Studio Architects. Mike Dowling is our principal architect and he is the person who has done most of the design work on this project and has worked with the owner. Mr. Grant gave a brief presentation on the project. The first phase of the project is really a 2 building phase. There are 20 apartments per building. There are 14 three bedroom and 6 two bedroom and a total of 60 parking spaces including the handicapped spaces. There is no vehicle access from Ophir Street and there are two access points along Granite Street. So there is a full circle. Phase 2 which is not scheduled immediately but soon after Phase 1 is on the upper side. Throughout the entire development there will only be 2 access points onto Granite Street.

Mr. Grant also stated I just graduated from the Missoula Historic Preservation Commission. I did a 3 year stint with them and I understand and I thank you for your service in doing this kind of work. We think that this project will actually help move the campus forward. I think it is a good project.

Mr. Hinick thanked Mr. Grant for his presentation. He then asked if there were any questions.

Mr. Hinick questioned are you thinking about getting all these working drawings together before March?

Mr. Grant stated yes.

Mr. Hinick stated I think it is a great addition to that street. I think for us we can’t really control the design specifically, but we certainly can review it and give it our nod of approval. Any other comments on the design.

Ms. Rossillon questioned could we poll the committee first on the first question, the demolition?

Mr. Hinick stated I was going to do that but this is something that the HPO decided to go about this way.

Ms. Rossillon stated we can't talk about conditions. I think we should have one motion. If we could have a poll of the Commission regarding yeah or nay on the demolition and course of discussion.

Mr. Hinick questioned for one thing what is our HPO's recommendation for this COA?

Ms. McCormick stated I recommend that we approve the demolition permit request with condition of design review on the Granite St. Apartments, which you have the authority to do.

Mr. Hinick stated I don't think we do.

Ms. McCormick stated yes we do. According to our ordinance we do.

Mr. Hinick questioned what does it say in the ordinance?

Ms. McCormick stated I don't have it here but design review is a demolition conditions specified by our ordinance when new construction is proposed. Design review is intended to ensure that the new construction is compatible with the historic character of an area of a district and/or a building. I would recommend that the HPC approve the demolitions with conditions. The house are contributing resources, and it is hard to see losses in our historic district. These houses, however, on the very fringe of our district and do not have great integrity. So it is not like getting rid of important historic buildings in the middle of our district and imposing new construction in the middle of our district. I think, however, it will become very difficult if we keep seeing further development east down the street. The applicants have made really good faith efforts to work with the HPO and Butte-Silver Bow. They came to us early, they are offering these properties for sale and relocation and they have agreed to do salvage. They are bringing this project to you for design review. With that said I stand by my recommendation.

A discussion was held amongst the Commission.

Mr. Hinick questioned if we were to make a motion to approve this COA for demolition what conditions would you like to see?

Ms. Rossillon stated that we can't talk about the conditions to a demolition approval unless we agree to that demolition. If we could have a poll of the Commission regarding yeah or nay on the demolition, then we could proceed with a discussion of conditions.

Ms. Rossillon then stated if we could start with the first one regarding the advertisement, right now I would suggest us to consider and discuss is a condition which would require advertisement through the MLS which is

already being done and through other opportunities particularly criagslist because the price is right and it is where an awful lot of opportunity for rental and sales is happening in our community. In addition I think that it should be made clear that March 1 is not a drop dead date and that is because anyone who is looking at the streets and thinking about carrying a building down Granite St. at that slope that it is now would never even consider it. So in order for this to be a meaningful condition that timeframe has to be extended. We can talk about what that timeframe has to be if it cannot be July 1st I think certainly by May 1st. The final thing I think we should consider in terms of this condition is the price that was identified for the two buildings, one for $1000 and one for $10,000. I think both properties should be advertised for relocation at a minimum price of no more than $1000. The reason I say that is because these buildings are going to have to be moved.

Mr. Terry Holzwarth stated I live in Billings Montana. Mike McLeod and I decided on the pricing. The one house is a pretty good house, the other one is not in real great shape. We did want whoever came forward to be serious about moving the buildings. It doesn't really matter to me if I get $10,000 or $2500 or $1000 for the house we just want somebody to come forward.

Mr. Vincent stated we did talk with Tamietti House Moving and actually had them come up and look at these properties and they can be moved. Those guys will tell you right out that they can move anything at any time. They are really the only show in town as far as moving houses like this. These guys can move in the winter so I don't think that is a huge obstacle.

Mr. Gerbrant stated I don't know if we can recommend changing but maybe Mr. Holzwarth would consider changing some details on this to a May1st date and a price of $100 for the small house and $1000 for the larger house.

Mr. Hinick stated I think that is a nice suggestion but I would think that it could become a bidding war. So what we have here is a discussion about some conditions for the approval of the COA. Mitzi and Butch would like to see the time extended to May 1st versus March. The second condition was besides the MLS a possibility of advertising this on craigslist would be a suggestion of the condition. Third the cost of the offering of the two homes could be either left up the individual or that we would like to see them lowered if possible to entice someone to actually move the buildings. Is that kind of what we would like?

Mr. Hinick stated I would like to entertain a motion based on those conditions for approval of the COA application for 1405 and 1419 W. Granite Street.

Ms. Rossillon stated excuse me but I am not ready to make a motion because that is not the only condition that I would like to discuss. We have two other conditions, one was design review and the other condition was salvage. I

think we can at least again pole the Commission about which, as you presented our first condition if they are interested in doing something like that and moving forward or if we just want to wait and have the other discussion because I think we definitely need to review a discussion of design review and most importantly salvage.

Mr. Hinick stated there is no government money in this design. So what we would do is we would make suggestions.

Ms. McCormick stated I would like to go get a copy of the ordinance so we can look at that.

Mr. Hinick stated the design review could be we are going to review their design. We have already had a presentation and we will make some comments and suggestions on their design. I am trying to get these things so we can get a motion made here.

Mr. Hinick stated the other two things that you added. The design review and the salvage.

Ms. Rossillon stated the mention of the salvage with the appropriate liability coverage and one of two entities in this community that accepts salvage, Butte CPR being one and Restore being the other, neither one of us carry insurance specifically that would cover that. That kind of insurance has to be specific to the building and not owning the building is quite difficult if not impossible to get that. So I would like to hear from you more about that. What we have done with other entities which do not want to have people that are not covered by liability insurance in there is they have their demolition contractor do the removal of the materials and make them available to an entity. They do that by essentially doing a walk through and identifying the materials that they want to be salvaged. So I don't want to agree to that as a condition until we have had a chance to talk to you about if this is going to be a deal breaker.

Mr. Holzwarth stated I just talked to my insurance guy today about that and he indicated that we would have to have some liability and some worker's comp and he would have language that he could share with us. Now if somebody like the demolition group did it I think that would probably suffice and we would have to work with them. They would have that insurance. So then it is a possibility to us.

Mr. Hinick stated then I guess they can't get the salvage.

Ms. Rossillon stated what he says whoever he hires to do the demolition. So long as we have an understanding because there is a billable cost to you as the proponent to have your demolition contractor do some removal of materials and I can't tell you what Town Pump had to pay for the demolition contractor

in order to accomplish that so I really have no idea of what those costs might involve. That is the only way I can see this going forward because both Restore and Butte CPR are not employees so there is no opportunity to worker's comp and again having insurance when we don't own and only for one time is just about impossible to get insurance. So are you willing to expect an additional cost charged by your demolition contractor to salvage materials.

Mr. Holzwarth stated we are willing to work with you guys on getting the salvage stuff out of there. If it is $50,000 to do that then that is another whole conversation. If it is $1,000 or $1,500 or $2,000 dollars yes I am willing to work with you on that. It just depends and I don't know how we will know that until we take a walk through of these buildings and determine what you guys want. We are here to work with you guys. I will do whatever we can do.

Ms. Rossillon stated that is very encouraging. I cannot under any circumstances although I don't know what a demolition contractor costs but if it was anything over $1,500 I think that what we could make as part of the condition is that those costs would not exceed $1,500 and it would be up to but not to exceed. Is that something that is acceptable to you? That would be part of the condition that I would advocate for.

Mr. Holzwarth stated I am fine with that.

Ms. Rossillon stated thank you.

Ms. McCormick stated here is a copy of our ordinance. One of the demolition conditions authorized is preparation of a site redevelopment plan, which as our ordinance reads "the owner will be required to submit to the HPC a design review certificate of appropriateness for any new buildings or structures proposed for construction on a site." According to the ordinance, the demolition review certificate of appropriateness is a "procedure designed to review the historic compatibility of proposed changes the exterior of Local Register and historic properties" … and including "the design of infill development within historic districts."

Mr. Hinick stated very well. What we have is 5 theoretical conditions that we are going to place on this if indeed we do get a vote to demolish. If the secretary would please write these down so that she could read them back.

The advertisement for sale to extend to March 1. Second to include the advertisement for sale on craigslist. Third to accept the best serious real offer for sale and relocation. Fourth, the proponent will provide detailed architectural plans for the Granite Street Apartments for design review by the HPO and a subcommittee of HPC members. Fifth, to allow historic salvage

from the project at owner's expense not to exceed $1,500 to any non-profit or private person.

Mr. Hinick moved to approve the demolition COA with the five conditions.

Ms. Peterson seconded the motion.

The voice vote in favor of the motion was 5 yeahs and 1 nay. The motion passes.

C. Design Review COA: Sign for Beauty on Broadway, 449 E. Park, owner Jessica McGillis

Ms. McCormick gave brief presentation on the sign request by Jessica McGillis.

Mr. Weitzel asked what kind of letters?

Ms. McCormick stated this is all the information I have.

Mr. Hinick moved to approve the sign at 449 E. Park St.

Mr. Gerbrant seconded the motion.

The voice vote in favor of the motion was unanimous.

D. Determination of Eligibility: 2700 Locust St. – Owner Norwest Bank/Wells Fargo Bank, trustees

Ms. McCormick stated that the bank is seeking permit to demolish the house at 2700 Locust St., but not the garage. She gave a short presentation on her inventory of the property, which had not been previously recorded. McCormick determined that 2700 Locust St. is not eligible for the National Register [as documented by the Montana Historic Property Inventory Form prepared for the property and posted with the agenda for this meeting].

Mr. Hinick made a motion to concur with the HPO.

Mr. Weitzel seconded the motion.

The voice vote in favor of the motion was unanimous.

E. Scheduling of HPC visit to proposed Alta Headframe sites – Clear Grit site (N. Main) and World Museum of Mining

Ms. McCormick stated I would like everyone to visit the sites and make a determination of where we think the Alta Headframe should be placed. The HPC agreed to Tuesday January 12th at noon as a time for the site visits. Ms. McCormick said she'd contact Mr. De Neal and Mr. Hoffman and see if that works for them. She will sent e-mail confirmation of the time and place of the visits to the HPC members.

F. Montana History Foundation Grant: Window Repairs at the Basin Creek Caretaker's House.

Ms. McCormick stated I have received an okay to write a grant for assistance in repair the wood windows at the Basin Creek Caretaker's House.

Ms. Rossillon questioned would you like the HPC to give you a letter of support to be signed by Chairman Hinick?

It was unanimously agreed that the HPC would write a letter of support.

## VI. ANNOUNCEMENTS

## VII. PUBLIC COMMENT – ITEMS NOT ON THE AGENDA – None.

## VIII. ADJOURNMENT

Meeting was adjourned at 7:00 PM

xc: Matt Vincent, Chief Executive
Karinesa Boyer, Secretary for the Council of Commissioners
Jon Sesso, Planning Director
Mike Smith, Montana Standard
Robin Jordan, Butte Weekly