

**HISTORIC PRESERVATION COMMISSION**  
**Butte Silver Bow Council Chambers**  
**5:30 P.M.**

**August 2, 2022**

**Members Present:** Steve Hinick, Mitzi Rossillon, Tracy Miller, Jennifer Petersen, and John Weitzel

**Excused Absence:** Bobbi Stauffer, John Riordan

**Staff:** Kate McCourt, HPO

- i. **Call to Order:** The Historic Preservation Commission Meeting was called to order at 5:30 PM
- ii. **Roll Call:** Two members absent, and a quorum established.
- iii. **Reading/Approval of Minutes:** Ms. Rossillon asked that a portion of the minutes be changed in the “Foothold” presentation. She recalled that the home was to be targeted ideally for a professional working locally rather than as a family home. With that change made, Steve Hinick motioned to approve the minutes for the June 14, 2022, meeting of the HPC; Ms. Miller seconded the motion. The voice vote in favor of the motion was unanimous.
- iv. **Public Comment – Items on Agenda:** None
- v. **Public Comment – Items not on the Agenda (Special placement)**
  - **Design Review COA: Butte Water Co., “1923” production changes-**  
Mr. Hinick introduced as a “new business” a COA that was not on the agenda, that of a Butte-Silver Bow-owned building, the Butte Water Company building, that will be used for the filming of the series, “1923.”  
Brian Rey, Key Assistant Location Manager from King Street Productions, spoke to the Commission about the role the Butte Water Co. will play in the “1923” television series. He said that they are looking to make “temporary modifications to bring it back to a 1920s feel.”  
They would like to remove the brass Butte Water Co signs, remove the National Register of Historic Places Plaque, and remove the vinyl lettering graphics from the glass panels on the doors. They would replace, and re-letter the doors when they are done.  
There is a security pad for wheelchair access, they would like to remove.

The filming will occur the week after Labor Day (Tuesday, Wednesday, Thursday), so nothing will be removed until close to that date so as not to affect the citizens and their access to the building.

They will also refresh and stain some windows and doors, keeping in the same color palette.

Mr. Hinick asked Mr. Rey if they would be removing the door stop or “plunger” for the handicap access at the front doors, to which Mr. Rey replied that he would like to do that around the second of September- as close to film date as possible.

Mr. Hinick also asked about the re-staining of the door, saying there is urethane on top of the stain on the oak doors- would that be removed? Mr. Rey said that it would likely be removed, stained, and re-applied. He reiterated that the color palette of the stain would remain the same.

Ms. Rossillon asked a procedural question of the Chair and the HPO, stating that the timeline for the filming does not fit in with the timeline of the next HPC meeting; can we vote to make an exception and then perhaps vote on this COA despite it not being on the agenda?

The HPO responded that she was planning on extending the option of making a special meeting to vote on the COA, but if the HPC is willing, it seems very reasonable to move forward today.

Ms. Rossillon made a motion to accept an exception to place an item on the agenda that was not in the original agenda, specifically for the COA for temporary alterations to the Butte Water Co. building. Mr. Hinick seconds. The voice vote carries.

Next, the body voted on the COA. Mr. Hinick voted to approve the COA as presented, and that “we would like to inspect it after it’s done, to ensure that you put it back together properly.” Ms. Miller seconded. The vote was unanimous.

**vi. Basin Creek Caretakers House Project Update:**

- John Snider, Ltd. has signed a contract with BSB and will be remodeling the exterior of the Basin Creek Caretaker’s House. He should be starting this week, permits allowing.

**vii. Staff/Member Report**

- B’Nai Israel Cultural Center had a great first season of tours, lots of interest. Middle Tennessee interns have left but were able raise money for Community, Culture & Heritage, Inc. – a non-profit that is working on making the conversion from Temple of worship to Cultural Center.
- Ms. McCourt has received concurrence from the SHPO on the Silver Lake Water System report after several back-and-forth exchanges. The grant is not officially secured yet, but the cultural part is finished, for now.
- There is a window restoration project happening at the Jacobs House. The HPO toured it with Carrie Coe and John Sullivan. This is a SARTA grant.

- Courthouse bathroom restoration project is happening; stakeholders meet regularly and HPO is consulting on it.

**viii. New/Old Business:**

- **Demolition Review COA: 1022 California Avenue (brick garage)**

Ms. McCourt brought this demolition COA to the HPC because this garage outbuilding is made from two courses of soft brick, mostly in excellent condition although the garage is not worth saving. HPO wanted the HPC to have a say in what happens to the brick without signing off on the demolition permit. Once speaking to the property owner, she immediately put him in touch with the salvage person from the Butte Citizens for Preservation & Revitalization (CPR). He did contact them and told her that they are interested in taking the brick.

Mr. Hinick commented that palletizing this amount of brick would take some time and effort. Ms. Rossillon added that it was several months since the owner contacted CPR, and so he did not appear to be in a huge hurry.

With that, Mr. Hinick moved that HPC approve the COA with the condition that CPR or another preservation group salvage the nice brick so that it does not go to waste. Mr. Weitzel seconded the motion. Motion carried.

- **Design & Demolition Review COA: 118 E Platinum Street (restoration work on home and demo fire-damaged garage)**

Ms. McCourt introduced the cottage on Platinum St. that needs some restoration work. The project is from Fort & Home, represented by Keegan Hall, who was in attendance. HPO showed the group a photo of the garage that had been recently destroyed by a fire and tagged “dangerous” by BSB Community Enrichment- removal of the garage is part of the project. The project entails replacement of asphalt roof shingles, both window restoration and replacement, and work on the stabilizing the failing front porch.

Mr. Hall spoke to the Commission about this first phase of the project. The building is clad in asbestos shingles that will be repainted. The sagging porch will be stabilized on the left side with a new post and footing, and the porch will be opened rather than enclosed as it had been. The windows on the front will be replaced with Andersen Series 100 windows. The bedroom window in the front will be made into a sliding window instead of a picture window to make the egress- that is the only change to the type of windows that are going in. New roof and gutters. Enclosed sun porch in back has windows to be restored on the rear, but on both sides, there are inoperable pieces of plexiglass without sashes. They might be replaced with actual windows. Mr. Hinick asked if, after the garage is torn down, another will be built, to which Mr. Hall replied they might build a new one, and they also acquired the lot to the east, where they might build as well.

Mr. Weitzel commented on the 4-plex that Fort & Home is also renovating (615 Wyoming) and how well that is coming along. He asked if this property will be rented as an Airbnb and Mr. Hall said that it will be a single-family rental, and the brick 4-plex will be 4 units.

Ms. Rossillon wants the COA to reflect that the fenestration will not change despite the fact that they look much smaller in the rendering that Mr. Hall drew of the front elevation. She would also like an amendment to the COA that the two side windows on the back sun porch are

restored to double or single-hung windows, which they “most certainly were originally.” Mr. Hall agreed.

Mr. Hinick made a motion that the COA is approved with the provision that double-hung windows are utilized in the spaces that once had double-hung windows. Jennifer Petersen seconded. Motion carried.

- **Design Review: 8 S Montana Street (Sláinte) – Sign Project**

Ms. McCourt explained that Mr. Potts, owner of Slainte, did not return the COA in time to share it with the HPC in the meeting packet. Luckily, John Weitzel, HPC member, was the sign maker and could speak in detail about it. Mr. Weitzel recused himself from the vote.

Mr. Weitzel said that they will remove the old bricks and put up half bricks with a plywood backing. The design was done by a freelance contractor. The style is called backlit, reverse-channel letters, silver-leafed on the face of it. The letters will be copper leaf. LED lights will cast a halo on the brick façade at night. The bricks will be different colors. The size will be thirteen feet in length, and eight feet tall, and the sign will rise about a foot above the parapet wall.

Mr. Hinick asked about the canopy and if they are keeping the same one or changing the color.

Mr. Weitzel said he thought are going to keep the size but change it to black.

Mr. Hinick moved that they approve the COA as presented. Ms. Miller seconded. Motion carried.

- **Design Review COA: Galena Street Garage - Mural Project**

This is for a new design for a mural in the garage- an elongated bison with lots of legs to be painted by another Missoula artist. Sherwin-Williams paint will be used. Mr. Livermore (not present) would like it finished by mid-September.

Mr. Hinick moved that they approve the mural, stating that it has movement, and it will be a nice addition. Tracy Miller seconded. Motion carried.

- **Design Review COA: 417/419 N Excelsior Avenue (Mary MacLane House)**

Ms. McCourt introduced Bill Macgregor, owner of the Mary MacLane house, as the project came up rather quickly before the meeting and the HPO was not too familiar with it.

Mr. Macgregor explained that he was only at the meeting to speak about two aspects of the SARTA grant: the east/west bearing wall located behind the front door that was damaged by the previous occupants when they converted the building into one apartment downstairs and divided the second story into two. They removed too many studs from the bearing wall, which has caused the building to settle, and it is visible from the central sloping of the exterior façade. The bricks of the veneer have migrated and deformed.

Mr. Macgregor met with a structural engineer to ensure that the work is done properly- and very slowly. The bearing wall must be fixed before any other repairs can be made to the house. The other part of the project is restoring the porch, as much as possible, to what it looked like in 1902. The bottom set of stairs will have to be rebuilt, as the earlier set of stairs were built into the retaining wall that had to be torn out and rebuilt with grant funds several years ago.

The stairs will be built from the right side of the porch, rather than coming up the center.

Mr. Hinick commented that the HPC is not seeing a plan for the work, only the 1902 photograph to guide them.

Mr. Macgregor said that the plan is to replace all the porch balustrades, railings, and pedestals just as they are in the photo, and he has also been looking for a fluted column just like the missing central column on the bottom porch. He said that if he can't find one, he would have the railing move straight across the porch.

Ms. Rossillon asked for clarification as to whether Mr. Macgregor was intending to replace the rail on the upper deck as well as the porch, and he said that he was. She then asked if there was a sway in the upper deck that would require the third central column to be replaced, for fear that if no column were placed there soon, the weight of the upper porch would be too much, and it would have to be removed years from now. Mr. Macgregor said that he was concerned, but for 50-70 years it held people without the central column. It even had stairs leading directly up to the second-floor deck as well, so people were regularly walking on it. He concluded that he would ask the structural engineer whether it needs the support of the extra column.

Ms. Rossillon then asked about the balusters- if they are 2X4s, to which the answer was that they are 2X3. Mr. Macgregor said that the width facing outward is 2 inches. The original 1902 balusters were plain and rectangular, and so the intention is to replicate them.

Mr. Weitzel asked if the owner will be providing any blueprints or drawings on the final plan on the porch when the time comes. Mr. Macgregor said that if that is a request, he can do that.

Mr. Hinick made a motion that they approve the COA with the provisions that any work include a balustrade and columns that matched the existing along with a top rail, etc. that would be adequate to replicate the original and that this be authenticated by the Historic Preservation Officer so that she can have another look at it when the work is ready to begin.

Ms. Rossillon added that it must meet the standards of height and spacing requirements of modern code, which is three feet. Ms. Rossillon seconded. Motion carried.

- **Modified COA Discussion (Example provided in packet)**

Ms. McCourt started the conversation regarding the creation of a "modified (shortened) COA" by explaining that she pared down the original COA by removing all unnecessary and redundant information.

Having sent the information out in the packet beforehand, the entire page was not on the screen, and so Ms. McCourt apologized, saying that she assumed the group would bring their own printed packets. Mr. Hinick said that in the future, he, and others, might prefer a printed packet. (Ms. McCourt will make sure in the future to either print pertinent documents in full, or make sure they are presented on the screen in their entirety.)

As the HPO understood it, the purpose of creating a modified COA was so that certain "general repairs" and other actions, such as a demolition of sheds and outbuildings, could be signed-off on by the HPO without being presented to the Commission. With that in mind, the modified COA has a list of roofing materials for roof replacement, masonry repairs, and different (non-primary structural) locations where demolition occurs. After each list comes a space for the scope of work, then communication between the HPO and the Project manager/Owner/Contractor. In this space, the HPO would write in what conversations have taken place regarding the work itself. The same submittals checklist would follow. This modified COA is for the HPO to fill out.

Mr. Hinick pointed out that there might be an area to add what to expect, such as site plans (such as what was missing for the MacLane House). He said they should present an idea and not a concept, and something that they can visually understand.

Ms. Rossillon was hoping that the package would include some of the boilerplate language that would typically be used, for example, "TPO roof will not be stretched over parapet wall." She then said that she will never approve a metal roof unless it is a certain rare kind. Ms. Rossillon said that the brickwork language is easy: soft, red brick, lime-based mortar, clean faces- this is what she would like to see. She does not like the removal of stairways on the demolition portion for a modified COA- it could be an integral element for a historic building. She will always want to see a brick garage or outbuilding.

Mr. Hinick said that in regard to metal roofs there are copper shingles and other cases with commercial buildings versus residential buildings, and he would rely on the HPO to alert the HPC if there was a case worth bringing before them.

The HPO said that she would remove the staircase from the list.

She intended to write that all communications regarding rules with contractors had occurred (i.e., roofing over parapet, etc.) and misunderstood the intention that the list be noted ahead of time. Ms. McCourt asked that if there are more "hard-fast" rules for design review in Butte-Silver Bow, being only six months into the position, please let her know.

Ms. Miller suggested that instead of having a document that is a checklist, we just have an attachment that lists basic guidelines that comes with every COA. The HPO responded that she did think that was a great idea, and in the beginning wanted to supply every contractor with Preservation Briefs and other helpful documents that they may or may not use. [It is an idea worth pursuing once a list of BSB preservation standards is created.]

Ms. Rossillon stated that the other purpose of this document was to have something to present to the URA for projects that states exactly how the work is to be done, and if the work is not done in this manner, then projects will not receive funding. Ms. McCourt said that she will put the language in the document.

Ms. Rossillon said that demolition is a different matter altogether, and she would like to see every demolition that requires a permit. The HPO asked if that includes frame outbuildings. Mr. Hinick said that it has been established that the HPO can make those determinations. He said he would like to try this for a month and see how it goes, although the work might be shoddy. The HPO said that she would be doing the descriptions herself, not the project manager/contractor.

Hr. Hinick moved that they approve the modified COA as presented with removal of staircase. Mrs. Petersen seconded. Motion carried.

- **53 E. Mercury Street rear wall demolition (Discussion of July 12 special URA meeting and implications for continuing implementation of BSB's Historic Preservation Ordinance)**

Mr. Hinick said that it is his understanding that the plans that were presented did not include the saving of the ghost sign on the rear of the building. URA has approved the request for money regardless, despite the HPC's motion to save it. HPC member John Riordan attended the meeting and handed out a letter to the board that explained the HPC's position on the matter. The discussion: what are the implications for continuing the ordinance with the URA.

Ms. Rossillon regretted that Mr. Riordan was not in attendance but had sent out an email with his letter prior to the meeting.

Ms. Rossillon: Mr. Riordan found out about the special URA meeting only the Friday before and was very concerned about it, because the vote to fund the project was altered after the HPC approved it with conditions. For the first time to our knowledge, the URA went against the HPC's wishes, which is, according to our ordinance, binding unless taken to the Council of Commissioners by appeal.

Ms. Rossillon went on to state that it undermines the power of the HPC. When another agency ignores what we have done, it cannot go unanswered. She also sees a pattern of BSB (and others) developing properties with little regard for the Historic Preservation Ordinance, which is a threat to historic properties, the Landmark District, and the HPC. The URA vote is illegal by Section 11: Design Review. Another example is the Mission Thrift buildings. BSB started a planning process that began as early as November without any communication to HPC and HPO, same can be said for the Blue Range.

The Comprehensive Preservation Plan, passed in 2014, states that HP issues must be addressed at the local level at the earliest possible opportunity. We are continually denied those opportunities.

Ms. Rossillon wishes for a communication from the HPC to the Council of Commissioners that highlights the role and the value of the HPC and its contributions early on in a process and would like the approval of URA funds for 53 E Mercury to be sent back to the URA Board for reconsideration.

She would like to see the HPC take a more active role in reaching out to council with historic preservation concerns as is their right by their ordinance, plan, and by-laws.

Mr. Hinick then addressed the actual 53 E. Mercury building and the changes that they are making, saying it is his understanding that they are putting metal siding over the ghost sign. The HPO clarified that they are not covering but demolishing and rebuilding, and therefore the sign could not be saved. Mr. Hinick said that it was never explained to them in that depth. He said their (HPC's) proviso is no longer valid because the structural issues took precedence over the sign.

Mr. Hinick mirrored Ms. Rossillon's words that the Council of Commissioners should be more aware of what the HPC does, and because Mr. Riordan is a member of the Council, he would like him to be the one to help draft the statement that will go before the Council. Not to be adversarial, but to keep things in a good course for preservation.

Ms. Rossillon stated that she would not like the URA to get a pass. If this were a structural problem, that crack was there 6 months ago, and no mention was made at the time. Nor was any attempt made to appeal to the Council or to come back to HPC.

Mr. Weitzel said that they were told they were not allowed to go into that building back then because it was structurally unsound and a horrible situation. A friend of his, two weeks later, went to a garage sale inside the building.

**ix. Announcements**

Bill Macgregor returned to the podium to suggest that RMAP might be a part of the modified COA checklist (Superfund metals abatement program).

**x. Adjournment:** Mr. Hinick adjourned the meeting. 7:00 PM.