

This item has been requested to be added to the 1113 Fulton item.

**From:** Paul Maggie  
**Sent:** Tuesday, March 26, 2013 2:57 PM  
**To:** Wolff Andrea  
**Subject:** FW: From Bill Freytag - HPC 1113 Fulton St

**From:** Petersen Bonny  
**Sent:** Tuesday, March 26, 2013 2:33 PM  
**To:** Paul Maggie  
**Subject:** FW: From Bill Freytag - HPC 1113 Fulton St

Please attach this to the LF agenda for Frankie Welch Thanks

Bonny Petersen  
Rapid City Ward 5  
Home 342-6245 or Cell 484-1550

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**From:** Bill [billfreytag@mac.com]  
**Sent:** Tuesday, March 26, 2013 2:26 PM  
**To:** Scott Amanda; Chad Lewis; Doyle Charity; Laurenti Steve; Petersen Bonny  
**Subject:** From Bill Freytag - HPC 1113 Fulton St

Legal & Finance Committee

Refer: Historic Preservation Commission --- application 1113 Fulton St. --- Frankie Welch (see link at end)

The local HPC gave its opinion that this home would have an "**adverse affect**" on the District if the applicant was allowed to "retrofit" (not replace) her windows. It is my belief that **retrofitting** the existing windows with current energy efficient enhanced members does NOT have any negative effect on the neighborhood. From the street or the sidewalk the proposed retrofitted windows look the same. They "*appear*" the same. *Appearance* is a fundamental component of historic preservation.

The applicant petitioned to "retrofit" her 71 year old windows with new energy efficient Marvin Windows products. She did not ask to "replace" her windows. Her existing windows are "divided glass windows". This simply means there are 16 individual pieces of glass assembled into a single window. The new retrofits (2 pieces of glass - each double pane) have a grid installed that give the appearance of a divided glass window.

What the local HPC is telling the applicant she MUST do is rehab these 71 year old windows. This means there will be over TEN times the length of joints between glass and the wood members when compared to the new Marvin's. This means more than 10 times the opportunity for air infiltration. Leaky windows is one of the complaints of the applicant. This means spending a lot more money.

In my opinion the purist that sit on the HPC would like to have everything be the same as the day these old structures were built. Costs and similar appearance of newer components is usually given little consideration. This is clearly evident in this issue for 1113 Fulton. Gavin Williams who is a member of the HPC said he had installed the same retrofits on his (he owned) last home that he rehabbed in the district. Yet he voted against the applicant.

### *National Historic Preservation Trust - report*

The basis for my belief that the applicant was well within her rights to retrofit her windows is based on a report by the *National Historic Preservation Trust*. The news letter that is provided to every member of the local HPC comes from this same ----- *National Historic Preservation Trust !!!* I have included this report below. Note the lead in to this report --- *Should I replace or retrofit my older windows* -- this is the exact same question the applicant Frankie Welch had to consider.

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### *Preservation Green Lab - National Trust for Historic Preservation*

**Should I replace my older windows or retrofit them? This question has been raised by homeowners for decades. And now a new report offers definitive advice.**

A report produced by the Preservation Green Lab, a project of the **National Trust for Historic Preservation**, offers insight for homeowners weighing the financial and energy tradeoffs between replacing or repairing older, less efficient windows. This analysis, Saving Windows, Saving Money: Evaluating the Energy Performance of Window Retrofit and Replacement, builds on previous research by examining multiple window improvement options, comparing them to replacement windows across multiple climate regions.

► **The Bottom Line.** **Retrofitting windows** with high performance enhancements can result in substantial energy savings across a variety of climate zones. Selecting options that retain and retrofit existing windows are the most cost effective way to achieve these energy savings and to lower a home's carbon footprint. Retrofits extend the life of existing windows, avoid production of new materials, reduce waste and preserve a home's character.

L&F members I am sure you will hear opposing arguments based on a belief that these 71 year old windows can be rehabbed and will perform as good as the new Marvin retrofits. I know better. I have built hundreds of energy efficient homes. The heating costs of my homes ranges from \$64 to \$250 per year (not month --- YEAR). These are *real costs* measured through a *second electric meter* (not a biased estimate generated from a biased point of view). I know windows are a huge concern when you are trying to achieve these kind of heating costs.

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**Why the State decision is wrong.**

Finally I have to take more of your time to go over the State response that agrees with the local HPC and found against the applicant.

When I first learned of the State decision --- I called them (State) and asked if they understood this was a "retrofit" NOT A REPLACEMENT OF WINDOWS. They told me they thought it was a replacement of windows. I next told them they were wrong and missed this one by a mile. I rehearsed the **National Trust for Historic Preservation** report and then E Mailed it to them.

True to form as most bureaucrats do ---- they went into cover your ass mode. Council men and women ***please note the obvious.***

The local HPC met on March 15th (Friday morning). Our HPC (Katherine) sent the State the required info at 2:00 Pm that same Friday --- by Monday at 1:32 PM the State had responded with their finding. It took LESS THAN 8 HRS (working) for the State to make its claim.

Now consider this --- After I called them and E Mailed the info from the **National Historic Preservation Trust** --- Tuesday (3/19/13) morning at 10:04 AM --- they made their first reply to my objection on Monday March 25th at 3:06 PM. **It took 4 DAYS** for them to find any justification for not allowing Frankie Welch the opportunity to fix her leaky windows. ----- It took them over 4 days to fight off my claim that they were wrong ---- yet they needed less than 8 hrs. --- to first conclude --- the applicant should not retrofit her windows.

**Worse yet** the State originally says and I quote (E Mail response) ----- "*State concurs with determination of adverse effect. Information from the commission indicates that **the windows are not in a state of disrepair**, so this is the applicable Standard:*"

The State says it listened to the discussion with the applicants contractor and the HPC and didn't hear ----- the part about the windows leaking ----- the part about moisture going from inside the house and condensing on a "*proposed*" storm window ---- they didn't hear me saying windows are a big problem in managing air infiltration ----- they didn't hear the contractor say the only way to make existing windows not leak is to "*caulk them shut*". --- they did hear Jean Keasloff say the 71 yr. old windows were in good condition in her opinion.

Councilmen I believe sometimes it can be almost impossible for residents in the Historic District to get a fair hearing. This is one of those instances.

State law [1-19A-11.1](#) says "*relevant factors*" and "*feasible and prudent consideration*" --- this is what is supposed to be at the heart of the local HPC decision process.

The local HPC has given its "OPINION" ---- the State has given their "OPINION" ---- But it is your "OPINION" that carries the all the weight. I would hope you would conclude that Frankie

Welch who lives at 1113 Fulton can "retrofit" her windows. It is you --- the people --- have given their "**public trust**" to ---- not me, not any appointee, not the hired staff worker.

I believe that if it were your home ---- you would most likely want to fix your leaky 71 year old windows in this best and most cost effective way --- just like Franke does. The very same way the **National Historic Preservation Trust** says to do it --- " **Selecting options that retain and retrofit existing windows are the most cost effective way to achieve these energy savings and to lower a home's carbon footprint** ".

Lastly please don't miss the fact that the **National Historic Preservation Trust** said their report -- ---- "offered **definitive** advice" --- I hope you take their **definitive** advice.

Thank you for your time and consideration ---- Bill Freytag

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Below Link - Application - Photos - Aerial Map - Historic Inventory (NOTE - look at the application, on the first page (general information) it says "*Replace Windows*" --- on the second page where the detailed description is, it says --- "*windows are to be **retrofitted***" --- I think this created some confusion.

[http://temp.rcgov.org/planning/committeeminutes/hpc/CurrentAgenda/agenda\\_materials.htm](http://temp.rcgov.org/planning/committeeminutes/hpc/CurrentAgenda/agenda_materials.htm)