

**TOWN OF BOONE
COMMUNITY APPEARANCE COMMISSION
MEETING MINUTES
TUESDAY, OCTOBER 22, 2019
5:30 P.M.**

COMMISSION MEMBERS PRESENT: Chairperson Brian Williams, Vice-Chairperson Sarah Davis Cagle and Jason Selong

TOWN COUNCIL LIASION MEMBERS PRESENT: Sam Furguele

STAFF MEMBERS PRESENT: Jane Shook, Director of Planning and Inspections, Brian Johnson, Urban Design Specialist and Marlene Crosby, Board Secretary

OTHERS PRESENT:

CALL TO ORDER

Chairperson Brian Williams called to order the meeting of the Boone Community Appearance Commission, held in the Planning and Inspections Department – Upstairs Conference Room located at 680 W. King Street at 5:35 p.m.

ADOPTION OF THE AGENDA

Chairperson Williams made a motion, seconded by Vice-Chairperson Cagle to adopt the agenda as written.

VOTE:

Aye – All

Nay – None

The motion passed.

APPROVAL OF MINUTES

Chairperson Williams made a motion, seconded by Vice-Chairperson Cagle to approve the September 24, 2019 meeting minutes as written.

VOTE:

Aye – All

Nay – None

The motion passed.

DISCUSSION OF THE DOWNTOWN DESIGN GUIDELINES

Chairperson Williams opened the floor for discussion on the handout of the draft Downtown Design Guidelines dated October 22, 2019 (permanently on file). The Community Appearance Commission members reviewed pages 1 through 48 of the draft guidelines in this meeting; they discussed the highlighted areas of the draft text and made proposed changes.

Discussion ensued on the changes made by the Planning Staff from the last CAC meeting. Ms. Shook noted that the only changes that she had received were from Council Member Furgiuele and that those changes have been incorporated into the October 22, 2019 draft Downtown Design Guidelines. She noted that the highlighted words are for discussion at this meeting.

Discussion ensued on Section 14.01.02 B zoning districts. Council Member Furgiuele explained that he felt the word modify should be changed to supersede, he said if, they are in a direct conflict they supersede because the overlay is superior over the other districts only to the extent of the conflict. Ms. Shook said she would seek clarification on this topic.

Discussion ensued on Section 14.02.01 Residential Use Districts. Ms. Shook explained that the R1S and R5 are new residential districts. She explained that the R1S is for new small lots and the R5 is for the 55 years plus district and they are going through the public hearing process.

Discussion ensued on Section 14.02.03 B Educational Districts Established. Ms. Shook noted that Council Member Furgiuele has stated that the E-1 district is in the wrong section of the ordinance. Ms. Shook explained that there is not a regulation for this section yet and that she also has to create a section for it before she can move it.

Discussion ensued on Section 26.05.06 Orientation. Ms. Shook said the word similar was changed from compatible by a suggestion from Council Member Furgiuele. The Planning Staff agreed with this change.

Discussion ensued on Section 26.06.03 Graphics Desired Downtown Design. Ms. Shook said the Planning Staff is looking for more photos for this section. She suggested putting the information about the photos under the address for each photo.

Discussion ensued on Section 26.06.04 C. Fenestrations. Ms. Shook said that the Planning Staff added a table and changed the wording to window to wall ratio. She also noted that in the back of the draft that new definitions were added to cover this topic. She said the graphic was also modified. Mr. Brian Johnson, Urban Design Specialist talked about the possibility of adding doors on the ground floors to the text. He said that he felt that there should be text added to support doors. Council Member Furgiuele suggested having a section under fenestrations that includes doors and has the same sympathetic language with the following examples. Ms. Shook said the Planning Staff can add this proposed text, if the CAC members can tell them what kind of doors that they want.

Discussion ensued on the window to wall ratio for the ground floors. Council Member Furgiuele said to reduce confusion, he talked about the definition defining a ratio and this is done by defining

the numerator and the denominator for the full area of the façade. Ms. Shook said the Planning Staff will work on this topic.

Ms. Shook informed the CAC members of new State Law changes that will limit how we use definitions. She said the Planning Staff will review the changes and see if anything that has been defined by the building code needs to be changed.

Discussion ensued on facades. Mr. Johnson talked about the ground building grade changes when a slope is higher than the building floors. He said it makes a difference in the calculations and the size and placement of the windows for example the transition to the Howard Street level from King Street. Council Member Furguele felt that in the Fenestrations section the proposed text should be sympathetic for window placement and will include flexibility. Ms. Shook said the Planning Staff will review the Fenestrations section and look at various facades and modify the proposed text.

Discussion ensued on Section 26.07 A. Retaining Walls. Mr. Johnson noted a proposed change to the numbering. He said the Planning Staff would change the letters to numbers from A-E to 1-5 under 26.07 A. He explained that the Planning Staff changed the retaining wall height from eight-feet to six-feet which will create the need for more grading on a site. Ms. Shook talked about the possibility of a required retaining wall for places like in front of Ben and Jerry's on W. King Street. The CAC members agreed with the changes made to this section.

Discussion ensued on Section 26.09.02 C1. Primary Facades for renovated buildings only. Mr. Johnson explained the proposed change outlined for this section and the CAC agreed to the changes.

Discussion ensued on the list of questions presented to the CAC members by the Planning Staff regarding issues the Staff is experiencing in the current ordinance. Ms. Shook explained that these questions were presented to the CAC members at their last meeting. She asked if the CAC members had any feedback on the following questions.

Question: Can a property owner remove and repair features that are not historic to a building? Mr. Shook said from the CAC members and Planning Staff point of view the answer was yes. She said she has received some feedback saying this should not happen.

Question: When an original façade has been painted and the paint is not easily removed without damaging the masonry is it acceptable to paint it and should the paint be a brick color? Ms. Shook said the CAC members and Planning Staff are agreed that the paint has to be painted the same color or brick color. Mr. Johnson researched the brick and paint and found that some older softer brick was meant to be painted. He said that if a brick is stained, it is difficult to remove because the stain is absorbed into the brick. He explained that the type of brick needs to be identified before the renovation process can begin.

Discussion ensued on the Historic Design Guidelines and the Downton Design Guidelines. Ms. Shook said the Historic Design Guidelines will trump the Downtown Design Guidelines.

When a building's original façade was covered by another façade, how should the process to explore original façade condition occur? She used the example of a fire in the building and the owner wanting to make improvements to the building in addition to repairing it and they do not have the funds to improve it especially if the material under the façade is not in good condition. She said then the owner does enough work to repair the façade but does not improve the façade.

Discussion ensued on using thin brick as a building material. Mr. Johnson said that he was informed by contractors that the brick feature details on the building can be brought out with the use of thin brick. Council Member Furguele said that the Historic Design Guidelines will supersede on this topic. Council Member Furguele suggested incorporating into the proposed text the standards for a variance to add flexibility and instead of just referencing the conditions of the other criteria under state law.

Discussion ensued on the Certificate of Appropriateness process. Mr. Johnson asked if the Historic Preservation Commission denies a COA application, what the recourse on it is. Ms. Shook said that a COA application would be appealed to the Board of Adjustment for their review or to Superior Court.

Ms. Shook said she would email the list of questions to the CAC members for their review and discussion at the next CAC meeting to possibly modify the ordinance. Ms. Shook said that the Planning Staff is requesting direction on what they should do as the facades are needing repair and improvements.

Ms. Shook said she would talk to the Town Attorney to see if there is a way to draft a limited flexibility into a particular process. She also mentioned that when we get into the Interface area, we may need some more language that distinguishes certain things in the B1 Interface Area versus the B1 Downtown Core.

OTHER MATTERS BY BOARD MEMBERS OR STAFF

Discussion ensued on the proposed Downtown Historic District Map and presenting the draft Downtown Design guidelines to Council. Ms. Shook suggested that the CAC members be present at the January 2020 Council meeting where the draft Downtown Design Guidelines will be presented to Council and to be at the information sessions and public hearings where the details of the proposed map will be discussed. She suggested that the public informational sessions be held in the Downtown Area such as the Jones House because there are several rooms available for use. She said the multiple sessions could be held in a one-day or multiple days. She said that the Planning Staff would be available at these sessions. Council Member Furguele suggested that the informational sessions be videoed for future viewing by the public who may not be able to attend the informational sessions.

Discussion ensued on additional meetings in order to complete the Downtown Design Guidelines. It was the consensus of the CAC members to have the following meetings: Tuesday, November 5, 2019 at 5:30 p.m., Tuesday, November 26, 2019 at 5:30 p.m., and Tuesday, December 10, 2019 at

5:30 p.m. Ms. Shook noted that all of the meetings would be held in the Town of Boone Planning and Inspections Department – Upstairs Conference Room located at 680 W. King Street.

Chairperson Williams requested that the Planning Staff email to the CAC members a copy of the proposed Downtown Historic District Map and the latest map depicting the proposed boundaries for the B1 Downtown Core and the B1 Downtown Interface zoning districts. Ms. Shook noted that the CAC members did not include the south side of Howard Street on the proposed map and the HPC members did include this part of the Downtown area on the proposed map.

Discussion ensued on the next assignments that the Council has approved for the CAC members to review and make recommendations. Ms. Shook said the CAC members are to review and make recommendations on the Tree Policy. She also said the CAC members are to review the Public Nuisance Ordinance for the appearance and sustainability issues to resolve and balance. The CAC members agreed to work on these assignments after the completion of the Downtown Design Guidelines. Council Member Furgiuele said he would like for the CAC members to evaluate the Town's Community Improvement Code because this code allows the Town to cite people for doing things that might actually be helpful to preserving bird and insect life in the Town. The CAC members were in agreement with this assignment.

Discussion ensued on new members to the CAC. Member Furgiuele explained that we have to invite people to be a member of this Commission. Ms. Shook said she felt that more information could be added to the Town website to help promote the work of this Commission.

Ms. Shook asked the CAC members to email her and copy Mr. Johnson and the board secretary on their notes on the desired door types that should be included or excluded from the proposed text.

ADJOURNMENT

Chairperson Williams made a motion, seconded by Vice-Chairperson Cagle to adjourn the meeting at 7:42 p.m.

VOTE:

Aye – All

Nay – None

The motion passed.

Chairperson, Brian Williams

Marlene Crosby, Board Secretary