

**TOWN OF BOONE  
COMMUNITY APPEARANCE COMMISSION  
MEETING MINUTES  
TUESDAY, OCTOBER 26, 2021 5:30 P.M.**

**COMMISSION MEMBERS PRESENT:** Chair Brian Williams and Vice-Chair Sarah-Davis Cagle, Michael Bugge, and Christy Cook

**TOWN COUNCIL LIASION MEMBERS PRESENT:** Sam Furguele and Dalton George

**STAFF MEMBERS PRESENT:** Jane Shook, Director of Planning and Inspections, Jessica Mitchell, Long Range/Special Projects Planner and Marlene Crosby, Board Secretary

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**CALL TO ORDER**

Vice-Chair Sarah-Davis Cagle called to order the Boone Community Appearance Commission meeting, held via WebEx, a video conferencing software, on Tuesday, October 26, 2021, at 5:33 p.m.

Ms. Jane Shook asked everyone to introduce themselves to the new Commission Members Bugge and Cook.

**ADOPTION OF AGENDA**

Vice-Chair Cagle made a motion, seconded by Member Bugge, to adopt the agenda as written.

**Vote:** Aye – All

Nay – None

**The motion passed.**

**APPROVAL OF MINUTES**

Chair Williams made a motion, seconded by Vice-Chair Cagle, to approve the March 31, 2021, and April 20, 2021 meeting minutes as written.

**Vote:** Aye – 3 (Cagle, Cook and Williams)

Nay – None

Abstain – 1 (Bugge)

**The motion passed.**

**DOWNTOWN PLANNING PROJECTS UPDATE**

Ms. Shook informed the Community Appearance Commission members that the Council had approved the Downtown Planning Projects for the B1 Downtown Expansion and the Downtown Local Historic District. She further stated that the Council accepted Planning Commission's recommendations.

Ms. Shook reviewed the minor changes to the eight properties discussed at the public hearing. She said three properties near the western side of town entrance, and five properties off Green Street and Straight Street, were removed and remained as their original zoning. She noted that some minor modifications were made to the text.

Ms. Shook reviewed the final project boundary map. She pointed out several areas on the map including: the green area as the properties removed from Green Street and Straight Street, the dark pink area as the B1

Downtown Interface properties, the lighter pink area as the B1 Downtown Core properties, and the yellow area as the single-family properties with accessory apartments. She said there were other properties that Council agreed to rezone. She explained that the final information is in the Town Council meeting packet dated October 21, 2021. She pointed out that the table shows all the properties and how they were impacted. She said the red strikethroughs in the text are the properties that were removed.

Ms. Shook said the recommendation of approval by Council was to allow existing single-family and two-family dwellings within the project area, and B1 occupancy of unlimited family and up to four unrelated. She said the exception would be when the property was redeveloped to allow existing single-family and two-family dwellings within the project area to be rezoned to R1A occupancy of the unlimited family and up to four unrelated. She said the addresses for these dwellings were in the text. She said there was a limitation at the end placed on it, and it is a requirement for a minimum building footprint in the B1 Downtown Core.

Ms. Shook said the public hearing included discussion on larger sized parcels. She noted that these larger parcels are in the B1 Downtown Interface versus the B1 Downtown Core and how the minimum building footprint would impact those properties. She said it was agreed that the other standards for the B1 Downtown Interface would help to control density and building size versus having a minimum building footprint.

Ms. Shook said at the public hearing that when the rooftop additions were discussed, there was a recommendation to remove the term 'block,' which is a reference in the ordinance. She said that these "block" buildings did not necessarily mean block-like, cinder block, or block-buildings. She said if "block" remained in the ordinance, people might interpret it as only applying to block-like or cinder-block type buildings versus any other type of construction.

Ms. Shook said that language was added to the additions and renovations section of the ordinance for materials on non-historic buildings to be replaced with original material, similar design, workmanship, and composition.

Ms. Shook said that Council approved these said changes effective immediately as of October 21, 2021. She pointed out that we now have additional protections, which allows the Town to be more proactive. She said that the Downtown Planning Project website had been updated with the information. She said it would continue to be updated as we continue with the new ordinance and the associated forms.

Ms. Shook said that Mr. John Ward, Town Manager, mentioned at the public hearing that we did have some applications that came in just before this approval. She said that the applications would have to be determined complete following the ordinance requirements before October 21, 2021. She noted that at some point, we would transition into the Town's new website.

Ms. Shook thanked all of the board members from the Community Appearance Commission for their help on the Downtown Planning Projects over the past ten years or more. Council Liaison Furguele noted that around 2001 or 2002, the Council directed that the Town have an ordinance drafted to create a historic district. He said that in 30 or 40 years, you will know that you have done something well for those that will still be around. Ms. Shook said if anyone has questions on the Downtown Planning Projects to contact her.

#### **UPCOMING ASSIGNMENTS**

Ms. Shook explained that after the resolution of the Downtown Planning Projects, Council had directed the CAC to work on some other assignments. She said that the CAC also serves as the Town's Tree Board. She said several assignments are associated with that role.

Ms. Shook said the Council wanted the CAC to make proposed recommendations on regulating historic and larger significant trees in residential zones. The Town currently regulates landscape standards on commercial and residential properties, but not in the low-density residential districts. She said the CAC would also need to make proposed recommendations on having a tree permit and requiring a certified arborist. She said this would include considering a residential tree-cutting program and what this program would control.

Ms. Shook said the Council asked the CAC to invite experts in bird health to participate in discussions about the lives of bees and birds in our community. She said the CAC would make proposed recommendations to Council regarding how the Town can balance values of maintaining their attractive community with protecting natural areas and habitats. She said that this task must be done along with or subsequent to considering tree protection in residential areas.

Ms. Shook said the Council also asked the CAC to make proposed recommendations on implementing appropriate Food Council recommendations. She said that in 2019 the Council worked with the Food Council on recommendations for the Town of Boone. She said one of the recommendations was for the Town of Boone to incorporate edible landscaping. She said discussion is needed on ways to incorporate edible landscaping into other types of landscape. She said the CAC would work with the Town of Boone Public Works Department to implement the edible landscaping successfully.

Ms. Shook pointed out that the Council also directed the CAC to review the Town's nuisance ordinance. The Council wanted the CAC to look at other town regulations and find the best standards to balance the bee's and birds' habitats. She said that the CAC might also need to look at town code regulations that impact bird health. She noted that Council discussed that the height of the grass should be maybe three or four inches tall. She said that, in reality, a bird habitat needs a more natural area. She pointed out that we need to balance what we previously called nuisances with our natural habitat. She noted that the Council had agreed to attend and mentioned at the time that they would like to attend the CAC meetings when these types of presentations happened. She said we are at that point and should probably start scheduling these presentations.

Ms. Shook said that in November 2021 that we can begin and work on residential tree cutting. She said it might be December 2021 or January 2022 before we can start the other presentations.

Council Liaison Furguele said that around 2018, the Council directed an updated evaluation on the tree canopy. He mentioned this since the Town of Boone no longer had the Extra-Terrestrial Jurisdiction, which contributed significantly to the percentage of the tree canopy. He further explained that the perception was that the Town had lost a lot of tree canopy since it was last surveyed. Ms. Shook explained that the new evaluation on the tree canopy has not been completed but is on the town staff's list of projects. She said that the town staff is waiting on more calculations needed to evaluate the tree canopy. She said it might even be next spring before the state will do a flyover, which is usually completed every five years. She said the information gathered from the flyover is what the town staff needs to do the updates. She also noted that the Urban Forest Master Management Plan has to be updated as requested by Council.

Council Liaison Furguele said that as long as he has lived in Boone, the Town has picked up the leaves, and he said that is a bad practice because it is bad for an insect or a bird's life. He mentioned that the approach, as a town, is to try to appeal to the 1950 standards, but the long-term consequences for the bird and bee habitats are not always considered. He talked about coal tar on parking lots and how it pollutes the creeks and destroys the fish. He spoke of the use of Round-Up to kill the weeds. He said many communities ban the use of Round-Up. Chair Williams noted that the Town uses a large amount of Round-Up. He said he has seen

them put down Round-Up on both sides of his street. Chair Williams pointed out that the Town will have to be accountable for what they can and cannot use in our community.

Chair Williams talked about the grass cutting height in the nuisance ordinance. He said that we could give people flexibility, but we need to be prepared for those people who are going to want to spend the least amount of money or do things the cheapest way possible. He said there has to be a balance between protecting the natural habitats and the property owner neglecting to cut the grass.

Ms. Shook added that whatever programs the CAC comes up with will be balanced with the educational component. Ms. Shook encouraged the CAC to drive by the house on Highland Avenue to see how they have converted their yard into a natural habitat. She said it is a good example of what could be done.

Ms. Shook said she has contact information for local experts with sustainability and the Food Council. She said she would work on getting some of these contacts scheduled in December of 2021.

Council Liaison George said it would be beneficial to any edible landscape project to have a map indicating where the edible food is located, and where it is already in our landscape. He suggested that this information be included in the Town's media and digital presence.

Ms. Shook pointed out that town staff in the Public Works Department can answer questions about their town practices. Council Liaison Furguele asked if she could get Mr. George Santucci, Sustainability Projects Manager, involved because of his expertise in the reforestation areas. Ms. Shook said she would collaborate with Mr. Santucci on the things that the CAC is working on.

#### **OTHER MATTERS BY BOARD MEMBERS OR STAFF**

The CAC decided to have their November 23, 2021, at 5:30 p.m. meeting to discuss residential tree cutting. The CAC decided to cancel their meeting on December 28, 2021, at 5:30 p.m. Council Liaison Furguele noted that the new Council Members would be seated on December 14, 2021.

#### **ADJOURNMENT**

Vice-Chair Cagle made a motion, seconded by Chair Williams, to adjourn the meeting at 6:32 p.m.

**Vote:** Aye – All

Nay – None

**The motion passed.**

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Brian Williams, Chair

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Marlene Crosby, Board Secretary