

**TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
MARCH 5, 2024, 3:00 p.m.
Planning & Inspections Department & WebEx Video Conferencing**

Historic Preservation Commission Members in Attendance:

Vardell Smyth-Chair, Bettie Bond-Vice-Chair, Hannah Williams, and Jerry Williamson

Council Liaison: Virginia Roseman

Town Staff in Attendance:

Jane Shook-Director of Planning & Inspections, Jessica Mitchell-Advanced Planning Specialist, Justin Stines-Facilities Maintenance Superintendent, and Brenda Henson-Board Secretary

Others in Attendance: Allison Meade-Town Attorney, Bill Dixon, and Sarah Overman

CALL TO ORDER

Chair Smyth called the Boone Historic Preservation Commission meeting via WebEx to order at 3:02 p.m. Ms. Mitchell announced that the Town Council had appointed Vardell Smyth as Chair of the HPC, as well as Hannah Williams as the new student member.

ADOPTION OF AGENDA

Vice-Chair Bond made a motion, seconded by Commission Member Williams, to adopt the agenda as presented.

Vote: Aye – All
Nay – None

The motion passed.

ADVISORY CONSULTATION DISCUSSION

Ms. Mitchell stated that the revised Rules of Procedure containing the proposed language for pre-application workshop procedures, as well as a draft pre-application workshop request form were contained in the meeting packet.

Ms. Meade stated that the language was self-explanatory. She noted that the two rule changes incorporated language from Charlotte's rules of procedures. Ms. Meade explained that she took the opportunity to create better language regarding unbiased decision-makers and added language stating that the workshop was not deemed to have any effect on the Commission's impartiality.

Ms. Meade noted that pre-application workshops were done in other jurisdictions, and it was an informal, nonbinding process. She stated that, if HPC recommended approval of this process, the next step would be to ask the Town Council to approve these changes to the Rules of Procedure. Ms. Meade noted that this would not be a binding or legal process, merely an advisory process.

Ms. Meade referred to the pre-application workshop request form that provided basic guidance, as well as waiver language to make clear the nonbinding nature of the workshop.

Commission Member Williamson stated that he was exceedingly uncomfortable with the whole thing. He added that there was no way an informal meeting would not influence him regarding a case. Commission Member Williamson noted that the workshop flew in the face of what he understood ex parte communication to mean. Ms. Meade replied that she had empathy for that point of view; however, other

jurisdictions in North Carolina, including Charlotte, had decided that they were comfortable with this process. Commission Member Williamson asked if it should be the staff's job to guide prospective applicants about what should be submitted to the HPC. Ms. Meade replied that the Town did not have the resources that other cities with historic districts had, such as committed Historic District trained staff people who thoroughly knew historic preservation ordinances and standards. However, the Town of Boone does not have that expertise on staff. Ms. Meade stated that there was a level of expertise and experience among HPC members, but the membership needed to continue to develop expertise. Ms. Meade added that the workshop process should be viewed as a customer service effort. She stated that she felt comfortable with the process from a legal standpoint because it could help the full presentation when the applicant came to make their case in a quasi-judicial hearing. Ms. Meade explained that this could help an applicant be prepared so that extended hearings would not be necessary.

Commission Member Williamson asked if any of the other jurisdictions had been in litigation as a result of pre-application workshops. Ms. Meade replied that they had not. She added that it was very hard to see who would have standing to challenge it unless, in the course of a workshop or a subsequent hearing, one of the members said something like they had never believed in this to begin with. Ms. Meade stated that this process should be viewed as a trial, noting that it could work well or be a flop. Ultimately, interest should be in the success of the Historic District, and the easier and more understandable the process can be, the more support there would be for the Historic District itself. Ms. Meade added that the more difficult, uncertain, expensive, and time-consuming the processes were, the more overall support for the Historic District would be lost.

Vice-Chair Bond stated she liked the process and thought it would be helpful.

Ms. Mitchell added that potential applicants would still meet with the staff and would have the option to request a pre-application workshop or not.

Chair Smyth asked Commission Member Williamson if he thought this was a bad enough idea to not participate in the workshops. Commission Member Williamson replied that he was new to the Commission and would be unable to attend the April and May meetings, so maybe he should be replaced.

Council Liaison Roseman suggested that Commission Member Williamson attend the advisory meetings remotely when there was a pre-application workshop and join the meeting after the workshop concluded. Commission Member Williamson stated he could try that.

Ms. Meade stated that the Commission should vote on the proposed process and send their recommendation to the Town Council for official consideration and approval for the rules of procedures. She added that, if approved by HPC, she was comfortable with them proceeding with the first workshop on March 12, even though it would be before Council could consider the change.

Vice-Chair Bond made a motion, seconded by Commission Member Williams, to recommend approval of the revised Rules of Procedure relating to the pre-application workshop process.

Vote: Aye – 3 (Smyth, Bond, Williams)
Nay – 1 (Williamson)

The motion passed.

APPROVAL OF MINUTES

Chair Smyth suggested that the words *of it* be removed from the last sentence in the second paragraph on page 6 of the January 9, 2024, meeting minutes. Vice-Chair Bond asked that *The Tasting Room* be changed to *The Testing Room* on page 7 of the meeting minutes.

Vice-Chair Bond made a motion, seconded by Commission Member Williamson, to approve the January 9, 2024, quasi-judicial meeting minutes with the suggested changes.

Vote: Aye – All
Nay – None

The motion passed.

PUBLIC COMMENT

There was no public comment.

JONES HOUSE LOCAL HISTORIC LANDMARK DESIGNATION REPORT

Ms. Mitchell stated that former Commission Member Riley Ziegler was unable to attend the meeting but was continuing to work on the report. She noted that Ms. Ziegler was working on stylistic changes, reorganization of paragraphs, and research into any additions that had been made to the Jones House. Ms. Mitchell stated that some recent interior renovations had revealed some original features.

Ms. Mitchell explained the local landmark designation process considering the status of Ms. Ziegler's report. She began that, once the report was completed, the HPC would make a recommendation to send to Town Council. After that, the report would be sent to SHPO for their 30-day review. Then, the HPC would review the comments from SHPO before sending the local historic landmark designation request to a Public Hearing/Planning Commission meeting for consideration as a zoning map amendment. Ms. Mitchell stated that due to Ms. Ziegler's ongoing work on the report, a tentative timeframe for the Public Hearing would be most likely July 2024 rather than May 2024.

STONEMAN'S RAID INTERPRETATIVE PANEL

Ms. Mitchell stated she had spoken with Drew Gruber, Executive Director of the Civil War Trails program regarding the maps and different images for the panel. Mr. Gruber advised her that the story was the site, so she reminded the HPC about having the attention grabber in the first sentence. He also told her that there needed to be a focus on what happened where the reader was standing to provide perspective. Ms. Mitchell reiterated the word limit for the panel of 275 words, including captions and citations. Additionally, she explained there were typically three media pieces that were usually kind of small on the panel. Ms. Mitchell noted that when the draft text was ready, the HPC could send in a conceptual sketch of the town and the events, and the people at the Civil War Trails program would make a custom map to meet their program guidelines. In addition to the custom map, she referenced further guidance she received from Mr. Gruber that there was usually an image of someone who was there, a description of that person, or a quote from them.

Ms. Mitchell explained the Civil War Trails marker program process, noting that after the draft text was submitted, a blind review would be done by four or five people from the Civil War Trails program board and editors. Once all comments were addressed and HPC and Town Council had reviewed and approved of the panel's progress, the Civil War Trails staff would do a design and start fabrication of the panel. Ms. Mitchell stated that she was working with the DBDA Coordinator in regards to the suggested request for funding from the DBDA as a match to the Watauga County Historical Society's funding amount. Vice-Chair Bond suggested requesting funding from the TDA as well.

Vice-Chair Bond stated she would like to see the wording revised on the Stoneman's Raid marker at the Courthouse so that it was more accurate and more cohesive with the information on the interpretative panel. Ms. Mitchell stated she could check on that.

The following changes were suggested to the proposed panel text from the draft provided in the meeting packet:

STONEMAN'S RAID

Riding from the west (~~your left~~) on the afternoon of March 28th, 1865, the first of almost six thousand of General Stoneman's Union Cavalry, led by Maj Myles Keog's (*misspelled, Keogh*) 12th Kentucky Union Volunteer Cavalry, entered town.

They surprised the Confederate Home Guard, who had been assembled at the Watauga County Courthouse, ~~1000 feet west of here~~. A shot was fired, and the Union Cavalry charged. The Home Guard fled, with several taking up positions at the home of James W. Council, which stood directly in front of you. They fired on the advancing Union Cavalry, who returned fire, quickly ending the conflict.

Ultimately two Home Guard were killed, five injured, and 68 ~~captured as prisoners~~ (*taken prisoner*). Stoneman's forces, which included at least 13 Union ~~sympathizers~~ (*loyalists*) from Watauga and surrounding counties, reported no casualties.

Union Cavalry continued to pour into town for the rest of the day, with Gen Stoneman ~~himself briefly~~ requisitioning the Council house for his headquarters. The Union pastured their horses two miles southeast of here, where the CURRENT ~~County Recreation Center~~ (*hospital*) is (*located*).

Most of Stoneman's cavalry quickly moved out of the mountains, with orders to avoid battles and "dismantle the country", destroying rail lines and materials that could be used by the then retreating Confederate Army, and to liberate Union Prisoners held in the Confederate prison in Salisbury.

On April 6th, Col. George W. Kirk's 2nd and 3rd NC Mounted Infantry arrived and occupied Boone for several weeks, with orders to blockade Deep, Sampson, and Watauga gaps to control major routes through the mountains. They ~~also~~ burned the jail, and looted the courthouse.

Council Liaison Roseman suggested putting reference numbers in the text to correspond with the images or places on the map as a way to save words in the image captions. She also suggested adding a compass to the map image.

Ms. Mitchell stated she would check on possible revisions to the existing state marker, work on the map with Chair Smyth, and communicate the map ideas with Mr. Gruber and GIS Coordinator, Chris Miller.

Chair Smyth asked if there might be an 1860 street map of Boone. Council Liaison Roseman suggested checking with Digital Watauga.

The HPC upcoming meeting schedule was discussed. Commission Member Williamson stated that he would be leaving town on March 28 and would not be available for meetings in April or May. Vice-Chair Bond stated she would be out of town on April 9. After some discussion, it was the consensus of the Commission to switch the April meetings to have the quasi-judicial hearing on April 2 and the advisory session on April 9, pending the availability of the applicants and Ms. Meade. Ms. Mitchell stated she would confirm attendance with Commission Member Carter.

RESOLUTION FOR FORMER HPC MEMBER CHUCK WATKINS

Ms. Mitchell noted that the draft resolution honoring the service of former HPC member Chuck Watkins was located on page 108 of the meeting packet. It was suggested that the second paragraph be changed to read *Whereas, Dr. Watkins initiated important Appalachian State University curricula for the Applied History program, created and developed the Appalachian Cultural Museum, and taught graduate courses in Architectural History at Salve Regina University, Newport, Rhode Island;*. It was also suggested that semi-colons be inserted between each of the locations contained in the third paragraph.

Commission Member Williamson made a motion, seconded by Commission Member Williams, to approve the resolution with the suggested changes and requested to have the resolution presented at the April 24, 2024, Town Council meeting.

Vote: Aye – All
Nay – None

The motion passed.

STAFF UPDATES

Boone Cemetery Headstone Repair

Ms. Mitchell stated that Town Staff was looking at two different companies to address the two broken headstones. She added that these companies specialize in the service, repair, and cleaning of headstones in cemeteries.

Ms. Mitchell added to the discussion regarding the Boone Cemetery Interpretative Panels project, noting that Vacker Sign had sent her a draft of the first panel for the interpretative panel project. She stated that Vacker Sign would touch up the spots on the photo and the panel would be 24" x 36". After some discussion, it was decided that there should be a neutral background that could weather on its own, rather than the panel having a distressed look.

Town Council Action at February 14, 2024, Council Meeting

Ms. Mitchell stated that the Town Council appointed Vardell Smyth as Chair and Hannah Williams as the student member on February 14, 2024. They also recommended that the H.W. Horton Building Local Historic Landmark Designation Report be sent to SHPO, which Staff had done. Ms. Mitchell stated that a review of the SHPO comments would be placed on the April HPC advisory session with a tentative May Public Hearing/Planning Commission meeting.

R.L. Clay (Rivers) House Local Historic Landmark Report

Ms. Mitchell stated that the R.L. Clay (Rivers) House Local Historic Landmark Report had been revised as discussed at the February Advisory meeting and was scheduled to be heard at the May Public Hearing/Planning Commission meeting.

Statement of Conformity Report

Ms. Mitchell noted the report in the meeting packet showing the current applications for Statements of Conformity, which included cases that had been received since September 2023. The requests regarded properties in the historic district including Ram's Rack, South End Brewing Company, and Espresso News, which are under review by Commercial Zoning Administrator, Mike James.

HPC MEMBER UPDATES

There were no updates by Commission members.

OTHER DISCUSSION

Chair Smyth stated he would be in Switzerland from June 23 through July 3, 2024.

ADJOURNMENT

Vice-Chair Bond made a motion, seconded by Commission Member Williams, to adjourn the meeting at 4:41 p.m.

Vote: Aye – All
Nay – None

The motion passed.

Vardell Smyth, Chair

Brenda Henson, Board Secretary