



Historic Preservation Commission

Regular Meeting

~ Agenda ~

<http://www.townofboone.net/>

Jane Shook
828-268-6960

Monday, July 10, 2023

4:00 PM

WebEx

This meeting will be held using video conferencing software (WebEx).

For information on how to watch, listen, and/or participate in the meeting, please see the WebEx video Conferencing Information section at the end of this agenda.

I. Call to Order

II. Adoption of Agenda

III. Approval of Minutes

April 12, 2023 CLG Meeting Minutes

May 2, 2023 Advisory Meeting Minutes

IV. Public Comment

V. HPC Membership Update

VI. Boone Cemetery Interpretative Panel Draft Panel Text and Design

Boone Cemetery Interpretative Panels Draft Text and Images

VII. Stoneman's Raid Interpretative Panel Draft Panel Text and Design

Stoneman's Raid Draft Interpretative Panel Design

VIII. R.L. Clay (Rivers) House Local Landmark Designation Report Update

HPC Intern Latest Draft of R.L. Clay (Rivers) House Local Landmark Designation Report
(June 30, 2023)

IX. Substitute Material in the Historic District/Appendix D Discussion

Memo Regarding SHPO's Response to Substitute Materials (Previously Published in June
6, 2023 Packet)

Memo of HPC Members' Comments Regarding Structures in the Historic District

X. Staff Updates

Statement of Conformity Monthly Report

XI. HPC Member Updates

XII. August Advisory Session Material

XIII. Other Discussion

XIV. Adjournment

WebEx Video Information

WATCH OR PARTICIPATE IN THE MEETING: Individuals who wish to watch the meeting or speak during public comment may do so through WebEx, either online (by computer or smartphone) or telephone. To do so, please email Jessica Mitchell at jessica.mitchell@townofboone.net or call 828-268-6960 and you will be provided with an email invitation to the meeting. All requests for participation must be completed by 2 p.m. on the day of the meeting.

Staff will moderate the WebEx session to ensure all participants have an opportunity to speak. Individuals who require use assistance registering or joining the WebEx event on the day/night of the meeting can call 828-268-6960 for support.

**TOWN OF BOONE
SPECIAL HISTORIC PRESERVATION COMMISSION
CLG ORIENTATION
MEETING MINUTES
April 12, 2023, 9:00 a.m.**

Historic Preservation Commission Members in Attendance:

Chair Eric Plaag, Vice-Chair Bettie Bond, Chuck Watkins, and James Sharp (via WebEx)

Council Liaison: Virginia Roseman

Student Member: Riley Ziegler

Town Staff in Attendance: Jessica Mitchell-Long-Range/Special Projects Planner, and Marlene Crosby-Board Secretary

Others in Attendance: Ramona Bartos-Division Director of Historical Resources (SHPO) Raleigh, North Carolina, Kristi Brantley- Certified Local Government Coordinator (SHPO) Raleigh, North Carolina, Jennifer Cathey-Restoration Specialist (SHPO) Asheville, North Carolina, and Beth King-Architectural Survey Coordinator (SHPO) Asheville, North Carolina, Ellie McCorkle-HPC Intern

Call to Order

Chair Eric Plaag called the Certified Local Government Orientation meeting, held on April 12, 2023, to order at 9:03 a.m.

Certified Local Government Program

Ms. Kristi Brantley, Certified Local Government Coordinator, began reviewing a PowerPoint presentation that had been prepared by the State Historic Preservation Office.

Ms. Brantley began the presentation by explaining some planning tools, such as the National Register of Historic Places and a citizen's guide that is available online. She said she could email the link for these planning tools to the HPC and Planning Staff. She also talked about another tool, which is an interactive map that shows known historic sources. She explained that the green on the map outlines a study list for the Certified Local Government (CLG), and the blue on the map outlines the non-Certified Local Government.

Ms. Brantley spoke about the Amendment to the National Historic Preservation Act of 1980. She said that because of this act, this is how the Certified Local Government program came to be.

Ms. Brantley explained that a CLG is a partner in the federal preservation program that can administer local preservation laws (designation and regulation), maintain an inventory of historic properties, and assist the State with the National Register process. She added that any unit of government may apply for CLG status, and the National Park Service (NPS), with a Historic Preservation Commission (HPC), administers the CLG program.

Ms. Brantley talked about the Certified Local Government program and its preservation through partnership. She said the difference between the National Register and a Local Landmark Designation is that the National Register is eligible for tax credits. She said that in a ten-year span from 2011 to 2021, only five CLGs were certified. She said that in the last year, four have been certified, and they are the Town

of Boone, Alexander County, Union County, and the Town of Waxhaw. She added that more and more communities are recognizing how important historic preservation is, including economic development.

Ms. Brantley talked about the North Carolina CLGs as of September 2022. She said there are 52, which is the count that she uses, but there are actually 59 CLGs. She explained that when the program was first established, the National Park Service (NPS) allowed joint certification. She gave an example that Asheville and Buncombe County are both CLGs, and she counts them as one, although they use the same Historic Preservation Commission to do their work. She explained that Forsyth County, Clemmons, Kernersville, and Winston-Salem are all CLGs, and she counts them as one. She explained that the National Park Service is working to clear up these joint certifications. She said the NPS is hoping to provide more guidance on the joint certifications, and when SHPO receives the new guidance, they will rewrite the CLG Program that is on the SHPO's website.

Ms. Brantley explained the responsibilities of the CLG Program, which are enforcing appropriate state or local legislation for the designation and protection of historic properties, establishing an adequate and qualified historic preservation review commission, maintaining an updated inventory of historic properties within its jurisdiction, providing for adequate public participation in the local historic preservation program, participates in the National Register process, and receive CLG training annually.

Ms. Brantley pointed out that there are CLG trainings across the state. She said there is a CLG training that will be held in Asheville, NC, on April 21, 2023, and it will be handled by the National Alliance of Preservation Commission (NAPC). She asked Ms. Mitchell if the Planning Staff had looked into joining the NAPC, and Ms. Mitchell said she had looked into it. Ms. Brantley added that the NAPC is a good planning resource. She said there is a great benefit in attending these training sessions and being able to ask questions of other people who have obtained CLG status.

Boone Historic Preservation Commission Chair Eric Plaag said that he and Vice-Chair Bettie Bond attended a CLG training in 2018 that was held in Henderson, NC, and they both stated that attending the training was beneficial. Ms. Brantley noted that in 2013 there was a CLG training in Salisbury, NC; she added that in June 2023, there will be another CLG training held in Wilmington, NC, through the NAPC, but it will be on Disaster Resiliency. She said that later on in the year, there would be CLG training in Mount Airy and Washington County. She said there was a Cemetery Workshop in Mooresville, NC, in May 2022, and a CLG Training will be held in Swansboro in September 2022.

Ms. Brantley pointed out that there is a preservation email listserv and she encouraged everyone to join it.

Ms. Brantley explained that if a national register property is coming up before the National Registry Advisory Committee (NRAC), they review National Register Nominations when the NRAC meets three times a year, and make recommendations on whether to forward it to the State Historic Preservation Officer, who will forward it to the NPS. She added that before it is sent to the NRAC, as a CLG, the municipality would receive a notification not less than 60 and no more than 120 days with a copy of the nomination and notification to have a public hearing. She said the Mayor would also receive a notification for the public hearing.

HPC Chair Plaag said that the Blue Ridge Tourist Court is in line for a National Register Designation. He told Ms. Brantley that he was not sure if the SHPO office had been notified yet, and he wondered if it was because of the Town of Boone's recent CLG designation last December 2022. Ms. Brantley said that the Blue Ridge Tourist Court was heard in February, but because the Town of Boone was not yet certified when it was time for the 60-day notice to be sent out that the Town was not notified. She and Ms. Ramona Bartos, Division Director of Historical Resources, agreed that the timing could not be coordinated in time for the Blue Ridge Tourist Court 60-day notice. Ms. Brantley said that participation in the National Register process is regulated by the federal government, and the state has to follow its formats.

Ms. Brantley talked about the benefits of being a CLG. She said ten percent of the monies of the Historic Preservation Office from the Historic Preservation Fund is available to CLGs. She said the funding might be used as a matching grant to finance the following activities, Architectural/Archaeological Surveys, Architectural Plans or Feasibility Studies, National Register Nominations, Updates to Design Standards, Historic Preservation Plans, Pre-Development and Development Activities, and Physical Restoration/Rehabilitation.

Ms. Brantley said that CLG grants are a 60/40 match and noted that it is not a lot of money. She said that the City of Asheville and Buncombe County got a grant for the training camp that they are doing next week, and the City of Durham got a grant for some cemetery nominations. Member Watkins asked if the 40 match was a cash match. Mr. Ramona Bartos said it depends on the state, and North Carolina is dollar for dollar, which is more than 40 percent. Ms. Bartos asked Member Watkins if he was asking about the local match, and he said yes; she said the match could be in-kind or in staff time. She said that typically, SHPO likes to see the staff time because it shows a commitment that the locals want to see something through.

HPC Chair Plaag suggested to Ms. Mitchell that the HPC discuss asking Council for a grant for the R.L. Clay House. He asked if a property has to be National Register (NR) listed to receive a grant. Ms. Brantley said that a property in North Carolina has to be study-listed prior to being considered for the National Register. Ms. Bartos said you could ask for a CLG grant to do nominations. Ms. Brantley strongly encouraged the Town to study-list the R.L. Clay property.

Ms. Brantley talked about seed grants which are not large grants, and she showed photos and dollar amounts of grants for various projects throughout the state.

Ms. Brantley noted that there are also National Park and National Register grants, and Ms. Bartos pointed out that the community sometimes provides funds.

In summary, Ms. Brantley pointed out that there are three NC State Historic Preservation Offices (Department of Natural and Cultural Resources, Office of Archives and History) located in Raleigh, NC, Asheville, NC, and Greenville, NC. She thanked the Town of Boone HPC and Planning Staff for having this training. Ms. Bartos noted that Ms. Brantley works with 100 Commissions in NC and with her counterparts in other states on preservation.

North Carolina Local Preservation Certificate of Appropriateness (COA) Best Practices

Ms. Ramona Bartos gave an overview of the North Carolina Local Preservation Certificate of Appropriateness (COA) Best Practices. She talked about the SHPO YouTube Channel that is available that contains training videos. She thought there were about ten seminars available to watch. She said one of the videos is about "Enabling Legislation at the State Level". She explained that NC, through delegation and enabling the legislation, they have instructions to preserve, which happens at the local government level. She said the legislation sets the stage for the activities to be carried out by enabling legislation.

Ms. Bartos reviewed the different types of Historic Preservation Commissions. She first pointed out that NC G.S. §160D-303 & §160D-941 was (Formerly 160A-400.7). She said that Historic Preservation Commissions can deal with both historic landmarks and historic districts if the Town or City Councils opted for that designation. She said there are some cities that strictly deal with historic landmarks. She said Mecklenburg County handles its historic landmarks, and the City of Charlotte handles its historic districts. She said some cities use their Planning Board to do the work of the Historic Preservation Commission, and she thought that the City of Lexington is the only city using its Planning Board at this time. She said the Community Appearance Commission (CAC) could do the work of the Historic Preservation Commission, but she did not know of any cities using its CAC at this time.

Ms. Bartos reviewed how the character of a historic district is defined. She first pointed out that NC G.S. §160D-944 was (Formerly §160A-400.3.C). She said the special significance of the historic district area is to preserve the history, prehistory, architecture and/or culture. She said the historic districts possess integrity of design, setting, materials, feeling, and/or association; she explained that for historic landmarks, it uses the same criteria with different consideration for "association" to the integrity list. HPC Chair Plaag gave an example of the integrity of a building and said if the HPC tried to put the Watauga Industries Handicraft building on the National Register, they would have to consider that the building had been moved back and not in its original location. He said this would create a criteria situation with the National Register but not necessarily an issue with on a local level. Ms. Bartos mentioned that there are local historic districts in NC that are not on the National Register and some that are. She said the HPC can choose what should be on the National Register.

Ms. Bartos explained that the establishment of a historic district and legislative action is up to the discretion of the Town or City Council, and the administering of the historic district is done by the enabling the legislation and the bylaws of the HPC in their month-to-month work. She mentioned a case that happened in the late 1970s, just when local preservation was getting started in NC. She said that Ms. Brantley could provide a copy of it, it is entitled, "A-S-P Associates vs. City of Raleigh, 258 S.E.2d at 452, 456 (1979)."

Ms. Bartos reviewed the requirements of a Certificate of Appropriateness (COA). She pointed out that NC G.S. §160D-102-947 was (Formerly §160A-400.9). She explained what is regulated within a district or landmark. She said the exteriors of buildings are regulated, and it is rare that interiors of buildings are regulated, especially in private structures. She said there are some places that regulate the interior of buildings only in public landmarks or private landmarks (with private owner consent). She talked about regulating the erecting, altering, restoring, moving, and demolishing of buildings. She said that on the exterior of a building, there are regulations for any building or other structure, masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features, above-ground utility structure, and other

outdoor advertising signs. She said with an outdoor sign the substance of the speech cannot be regulated. She said that aspects such as historic signs, color, significant landscape, archaeological, and natural features have to be in the ordinance at the time of approval of a COA or at some time in the future for it to be covered for COA work.

Ms. Bartos asked HPC Chair Plaag if they regulated color. He explained that the HPC does not regulate color, but the Unified Development Ordinance (UDO) references a color palette and the requirements for color. Ms. Bartos pointed out to the HPC Chair Plaag that the law does allow it if the Council allows it. She also pointed out that there could be a long discussion on the regulation of color. She said the preservation dividends may not be what you would want to see.

Ms. Bartos pointed out a pitfall for the Staff to watch out for when applicants are amending their COA application for interior work to cover exterior work, she said to make sure Staff evaluates if it triggers the COA process or how it relates to the building permit process. She referenced that the document should be referenced as "Principles and Standards", instead of how they were formerly called "Principles and Guidelines."

HPC Chair Plaag explained that the HPC had reviewed approximately eight or ten COA cases so far, and in every case, the applicant has had difficulty understanding the standards that apply to justify what they are proposing in their case when it is time for them to make their presentation. He further explained that in one of the cases that the HPC heard, the applicant had to keep coming back maybe four or five times. He said only the fifth time the applicant made the argument for their case from the standards standpoint. He said, similarly, that the HPC is sometimes reluctant to ground the proposal in the standards. He asked Ms. Bartos how the HPC and the applicants get to the place where they feel like this process is familiar to them. Ms. Bartos said that Ms. Jennifer Cathey would be able to answer this question in her presentation. She said it is difficult for someone to understand unless they are immersed in historic preservation because of the lingo and the terms used. She said that one way to address this issue is to know the historic buildings and what is significant about them. She added knowing about the buildings' materials and form, and also knowing the standards about preserving, protecting, and serving the significant form and materials, while allowing for appropriate or well-designed change. She said that by knowing the historic building, key features, form, and materials, then you know what you can change and what you really need to preserve. Ms. Bartos added that a good place to begin would be to see if the application is asking the things necessary and having the applicant have a pre-application meeting with Staff to go over the application process. She suggested mirroring the process used by the National Park Service. Ms. Bartos asked if some guidelines are provided for the HPC and applicant to follow during the review of the case. Ms. Mitchell said that the Staff prepares a staff report, and that the Staff does have pre-application meetings with the applicants. She also explained that the Staff is looking at the standards and trying to prepare a flowchart that might be useful in helping the HPC and the applicant through the COA process.

Ms. Bartos first pointed out that NC G.S. §160D-102 -947; §160D-406 was (Formerly §160A-400.9). Then, she talked about the requirements before any COA can be enforced, which are the Rules of Procedure and the principles and standards. She said the Staff could approve minor work at their administrative level. She said denials could only be done by the Commission. HPC Vice-Chair Bond voiced her concern with the minor works review and an issue with stucco falling off buildings. Ms. Bartos said she and Ms.

Brantley could provide a list of items that would help the Staff when reviewing minor work. She said if what Staff is reviewing does not fall within the items on that list, then Staff might need to raise the proposed minor work to a higher level of review. HPC Chair Plaag stated that the HPC did discuss this topic and worked out a process for the Staff to follow. He further explained that the stucco that HPC Vice-Chair Bond mentioned earlier had started out as a minor work, but the stucco kept falling off of the building.

Ms. Bartos reviewed the requirements for quasi-judicial decisions. She first pointed out that NC G.S. §160D-406 was (formerly NC G.S. §160A-947). She said that section now mandates use of a standard process for all quasi-judicial decisions across the board for all land use decisions rather than retaining similar but different procedures. She noted that quasi-judicial classes were available through the School of Government, and she highly recommended that everyone takes the class.

Ms. Bartos explained that quasi-judicial is delegating historic preservation fact-finding to a body of experts and removes the decision from the political process, which often centers on “who the owner is, who the objectors are, and whose ox is being fattened or gored”. She said there is a book entitled, “Quasi-Judicial Handbook for Boards Making Development Regulation Decisions” that can be found at the UNC Chapel Hill press.

Ms. Bartos said the nature of the quasi-judicial decision is similar to a court decision; the general law is applied to a particular situation based on evidence and standards, and the Commission uses judgment to adjudicate how preservation regulation applies to a particular situation based on principles and standards.

Ms. Bartos reviewed the standard for the review of COAs. She said the Commission shall take no action except to prevent that which would be incongruous with the special character of the landmark or district. She said the special character of the landmark would be found in the district’s designation report.

Ms. Bartos reviewed the standard for review of COA’s case law. She said incongruity is a contextual standard that must derive its meaning, if any, from the total physical environment of the Historic District. She added that the conditions and characteristics of the Historic District’s physical environment must be sufficiently distinctive and identifiable to provide reasonable guidance to the Commission applying in the ‘incongruity’ standard. She said there has to be a good understanding of the designation report. She said that figuring out the incongruity will be the grounding for the decisions for what is being reviewed and the significance of it.

Ms. Bartos reviewed where to locate the special character. She said to look at your designation regulation or ordinance for the historic district or landmarks. She said does the designation report say what is incorporated into the designation ordinance and does the designation report say enough. She said that over time SHPO has asked for the designation report to be revisited to enforce that the special character is being protected.

Ms. Bartos reviewed the mechanism to preserve the special character of a historic district or landmark through design review. She also reviewed the standards to inform quasi-judicial decision-making.

Ms. Bartos first pointed out that NC G.S. 160D-102.-947 was (Formerly §160A-400.9). Then, she reviewed the due process requirements for a COA, and how they are to inform adjacent owners plus others because they are entitled to receive notice under local regulation. She added that it requires a public evidentiary

hearing, following NC Open Meetings Law, and to review and act on a COA application no more than 180 days from filing. She added that anyone can ask the Historic Preservation Office for expert advice related to a case, but it may not be binding.

Ms. Bartos talked about a case between “Meares vs. Town of Beaufort.” She said that in this case, they were trying to figure out what to do with the infill based on what had been there before and that no longer existed. She said the case was about a new building that should be consistent in height and scale with the pre-existing historic structure. She explained that with this case, you cannot be more restrictive than is allowed pursuant to the authority delegated to the local Commission by the General Assembly because you are using the context of “what had been before” versus “what has been designated” for the district or landmark. She said you would look at the designation report to see the history of the historic structure.

Ms. Bartos talked about a case between “Sanchez versus Town of Beaufort.” In this case, a neighbor intervened after the Board of Adjustment reversed the Historic Preservation Commission’s denial of a COA. She explained the applicant wanted to demolish a 16’ tall cottage and build a taller building in its place; however, the HPC would allow 24’ but not 27’ 3” sought by the applicant. She stated the neighbor sued, alleging “special damage” from the construction of the house that would block her view of the river and Carrot Island. Further, the neighbor said the proposed use is prohibited by law, and the height did not conform with the HPC guidelines. Ms. Bartos said the outcome of the “Sanchez versus Town of Beaufort” case led to the concepts of “arbitrary” and “capricious.” She explained that the concepts arbitrary and capricious are whimsical or willful and unreasonable actions without consideration or in disregard of facts or law or without determining principle. She said that arbitrary is a determination not supported by substantial evidence, a decision that lacks a rational basis where there is no substantial relationship between the facts disclosed by the record and conclusions reached by the board. She said that the HPC does not want to fall into a position of whimsical under these concepts and should stay within the guidelines.

Ms. Bartos pointed out that enabling legislation does not permit the HPCs to “cherry-pick” certain properties located within the historic district in order to determine the congruity of proposed construction. She said the HPC must look at the total physical environment of the historic district.

Ms. Bartos talked about meeting behaviors. She suggested that the HPC articulate the standards when applying them to the case, follow Robert’s Rules guidelines or another set of guidelines, and stay with the same topic. She said the HPC, during the hearing of a case, needs to be present, engaged, completely devoted, and attentive to what is going on, be polite and respectful, and not use a cell phone.

HPC Chair Plaag explained that there had been an issue with applicants presenting their proposed plans that do not quite meet the requirements. He said the applicant would ask the HPC about the proposed changes they need to do to meet the requirements. Ms. Bartos said the HPC is limited in what they can do to help the applicant with their plan. HPC Member Watkins confirmed that this is an issue with the applicant wanting approval, and they are willing to do anything within reason for it, they want suggestions from the HPC that will help them get approval. He said if he understood correctly, the HPC would be better to turn down the application and ask the applicant to meet with Town Staff to discuss how to make their proposed plan in compliance and bring back to the HPC a new proposal. Ms. Bartos said this is one

way to handle it. Ms. Brantley suggested that the HPC and Staff reach out to Ms. Kristi Harpst, Program Manager of Historic Districts for the City of Charlotte, because her office does an excellent job in having the pre-application meeting to help reduce these kinds of issues. Ms. Jennifer Cathey, Restoration Specialist, added that there is a learning curve for HPCs, the Staff, and the community on the COA process. Ms. Bartos said that some municipalities would have an annual retreat and discuss all of the COAs they reviewed to look at how the results were handled and how they might improve their review process.

In summary, Ms. Bartos suggested that the HPC read the proposed application in the meeting packet prior to the hearing and for the applicant to bring their proposed application material and information to the staff to review prior to the meeting. She also suggested for the HPC to complete a COA application and give their feedback to the Staff on it; in this exercise, she explained that the HPC could determine if the application is asking the application all the questions needed.

The Secretary of the Interior Standards for Rehabilitation

Ms. Cathey gave a presentation on “The Secretary of the Interior Standards for Rehabilitation”. She explained that these standards are named after the Secretary of the Interior because the Department of the Interior operates the National Park Service, which in turn operates the National Register of Historic Places and other Federal Preservation Programs which are connected to the Commissions. She further explained that over the years, “The Secretary of the Interior Standards for Rehabilitation” has been adopted formally for use by Commissions.

Ms. Cathey talked about the HPC’s connection to the standards, and she outlined the following: professional standards for historic preservation, guiding principles for design review for historic landmarks and landmark districts, and how design guidelines documents developed by HPCs are generally based on the standards. She asked HPC Chair Plaag if the Town had a set of design standards. He said that we did for the Downtown Historic District and explained that we are in the process of writing them for the individual landmarks. He added that in lieu of design standards, the HPC leans toward “The Secretary of the Interior Standards”. She asked if the Town has the set of the “The Secretary of the Interior Standards” published within the design standard, and Ms. Mitchell replied yes, and it is also available on the Town’s website.

Ms. Cathey reviewed the Development of the Standards. She explained the history of the following: the National Historic Preservation Act was started in 1966, the Tax Reform Act was started in 1976, the Secretary of the Interior Standards for Rehabilitation were published in the Federal Register and was started in 1977, and the Guidelines for Applying the Standards was published by the National Park Service and establishing practical advice to accompany the Standards started in 1979.

HPC Chair Plaag explained that on one occasion, there was a disagreement within the HPC on which of the four categories of standards are the correct ones to apply to a case. He clarified with Ms. Cathey that the HPC is supposed to be using the Standards for Rehabilitation. Ms. Cathey asked Ms. Brantley who referred to the CLG Handbook. Ms. Bartos thought it would depend on the goal of the constituent because it might be, for example, a historic house museum, and it might depend on the re-use or context of the building. Ms. Brantley read from the Handbook that we should strongly encourage CLGs to adopt the

appropriate Department of the Interior Standards for archaeology and historic preservation relevant to their activities.

Ms. Cathey pointed out that over the years, the Secretary of the Interior Standards have developed the following approach to historic rehabilitation which are to preserve (secure, stabilize or hold steady), restore (return to form, appearance, materials dating to specific historic time period), reconstruct (wholly or rebuild or recreate based on research and documentation), and rehabilitate (update for modern use while conserving features, materials, spaces, form the convey historic or architectural significance).

Ms. Cathey asked HPC Chair Plaag if the Town of Boone had any historic landmarks. He responded that there are the Downtown Boone Post Office, Linney House, Linney Law Office, Blue Ridge Tourist Court, and the Watauga County Jail. Ms. Cathey said every local landmark and local district and everything that is listed in the National Registry of Historic Places had obtained that designation because it has been evaluated and documented as having significance in history or architecture and integrity. She explained that integrity means that the building or site was intact enough to convey its historic significance. She said the things that are looked at when reviewing significance and integrity are design, setting, materials, workmanship, feeling, association, and location. She said if we can contribute these things to a historic building or site, we can say it has high integrity. She pointed out that location is needed for a National Registry listing and is not classified for local landmarks.

Ms. Cathey explained that “integrity” is conveyed by building form and materials. She explained that form is the overall shape of a building or structure and its components; materials are the physical components of a building or site; and materials are combined or assembled during a particular period of time and in a particular way distinct to individual buildings and districts.

Ms. Cathey reviewed the concepts and goals of the Standards for Rehabilitation. The concepts are compatibility, reversibility, and authenticity. The goals are to identify materials and features, retain, preserve, conserve, protect, maintain, and repair.

Vice-Chair Bond brought up an example regarding a recent case involving clerestory windows. Ms. Cathey mentioned that in tax credit rehabilitation projects, they work to be compliant with Secretary Standards, and also in working with building codes, alterations can be made such as a recessed door and the opening of the door.

Ms. Cathey reviewed the Guideline Documents of the Standards of the Interior. She said these documents interpret the standards. She said the guidelines that SHPO uses the most is “The Secretary of the Interior’s Standards for the Treatment of Historic Properties.” She said this document has a good, use-friendly format, and it is available through the NC government printing office. She said this document also shows the best practices that are recommended and which ones are not recommended.

Ms. Cathey reviewed how the Standards that lead you to consider overall preservation goals. She stated questions to consider such as, is there a demonstrable need for repair, is sound historic building fabric retained, is damage or harm to building and site features and material avoided, and does work maintain the overall appearance and character (integrity) of the original building?

Ms. Cathey said the Standards are general, versus how the HPC design guidelines are specific. She exemplified that the Standards have broad design principles applied to buildings and sites of all types in any location, developed for use in federal programs, and adopted for commission use. Contrastingly, she stated the HPC design guidelines are specific, detailed design principles, crafted for application to specific buildings or neighborhoods, and developed for HPC's use.

HPC Chair Plaag noted that the HPC had encountered where we have one standard that is very clear and in keeping with "The Secretary of the Interior Standards" general guidance, or there will be another standard in that section or an adjoining section that is equally justified, yet applied to a specific property it creates a conflict. He felt this is the area that the HPC has had the most trouble navigating through the COA process. He said he had directed the HPC that they need to negotiate those conflicts the best they can while looking at the overall picture of the property in its long term.

Ms. Cathey handed out a copy of "The Secretary of the Interior's STANDARDS FOR REHABILITATION" and a copy of a cheat sheet for "The Secretary of Interior Standards for Rehabilitation of Historic Properties." Document is available upon request to Staff.

HPC Chair Plaag talked about one of the Mast Store cases that the HPC previously reviewed and a decision had been made on it. He explained that the stucco was removed that exposed an old ghost ad on the building, and he noted that this was a public safety situation. He said the applicant wanted to simply re-stucco the wall. He said the standards stated that generally speaking, the stucco is not historic to the period of significance; however, he explained the HPC does allow stucco on buildings where it previously existed. He said another standard said that when ghost ads are unveiled, we want to preserve them and make them visible to the public. He added that we want to prevent covering masonry that has been uncovered and preserve the masonry. He said this building was badly damaged. Ms. Cathey said this building is a very interesting case study on navigating the standards. She said there has to be a reasonable compromise by the HPC in these types of situations. She talked about the process for findings of facts about the conditions of a specific building. Ms. Bartos added that when you have a conflict, the stricter rules apply to it and asked if this was embedded in the design standards to be used in situations of conflict. She pointed out that public safety trumps preservation. She said one thing the HPC could have done was document the building. HPC Chair Plaag said the HPC did document the building, they allowed the stabilization of the stucco and it to be covered with hard-coat stucco. She referenced NC G.S. §160D-951 in reference to this conversation. She noted that she had seen this situation come up with solar panels as well. Ms. Cathey suggested that somewhere in this type of process, schedule a consultation with a preservation architect or an experienced mason to inform in a decision. She also suggested being clear when laying out the finding of facts on a building.

HPC Member Watkins explained that, when in these situations, often times, the HPC would be asked a question in the middle of a hearing about how stable is the masonry, is it life-threatening or non-life threatening. He said the HPC needs feedback from a professional mason about the condition of the masonry. He said that in this situation, should the HPC table or continue the case until the applicant can provide a professional mason? Ms. Bartos said asking for expert advice to get the answers is an option. HPC Member Watkins asked to what extent can the HPC compel an applicant to provide professional testimony. Ms. Bartos said the HPC could ask SHPO for expert advice or the applicant, but it might be on

the HPC to seek the advice. HPC Chair Plaag stated that the HPC had taken the approach that the burden is on the applicant to provide the evidence to support their case. Ms. Cathey said that in the pre-application meeting, the Staff might see a tricky issue in the application and suggest to the applicant to get some expert advice on the front end. HPC Chair Plaag noted that there will always be applicants that will try to do the least they can do to get through the COA process. He felt this is sometimes part of the issue. He added that there have been applicants that have come to the hearings with the information needed for approval.

Ms. Cathey added that we need to seek and cultivate the skill of preservation trades because not everyone has these trades handy.

In summary, Ms. Cathey reviewed how to apply the Standards for Rehabilitation, which were to: review the Standards and the district's design standards documents now and then; get to know your landmark buildings and districts materials, history, and significance; take a conservation approach towards significant materials, features, and spaces; allow for judicious alternation that supports ongoing historic building and site use; utilize the extensive guidelines for applying the standards supplied by the NPS and TPS; seek assistance from professionals with experience in applying the Standards.

Architectural Survey and National Register Programs

Ms. Beth King, Architectural Survey Coordinator from the Western Office in Asheville, North Carolina, gave the last presentation in this orientation. Ms. King stated that there are about 3,000 non-archaeology properties listed, and this includes 580 historic districts and their properties that make about 75,000 resources within those districts.

Ms. King explained the National Register Listing process in North Carolina. She said the process starts with the NC State Study List and a draft nomination submittal that goes to the National Register Advisory Committee, which is made up of architects, historians, archaeologists, and other people that have some specialty that relates to the National Register. She said they make a recommendation based on a presentation by the SHPO staff. She noted that she is the one representing Watauga County. The committee will vote on whether or not it is a good candidate for the study list and make a recommendation to the State Preservation Officer. The next step is the nomination will be sent to Washington, DC, to be formally listed; then, the successful candidate would receive a letter and certificate that they have been added to the study list or not added to the study list, which occurs in very rare cases. She said in some cases, after the Mayor has received the letter about the recommendation, this is a green light to go ahead and hire a professional consultant to prepare a nomination that is sent to SHPO to be reviewed by the SHPO staff based on region, then it will go to the National Register Advisory Committee, then on to the National Park Service for listing.

Ms. King explained how the study list properties are identified. She said the Blue Ridge Tourist Court and the J. Kenneth Lee House were two properties that were identified through architectural surveys. She said there are two ways that the SHPO can receive study list applications. She explained that they can be from a property owner or an interested party, and you do not have to be the owner of the property to apply for it to be study listed as well as the architectural survey.

Ms. King talked about the comment form that is important to a CLG. She explained that once the staff reviewer in the SHPO office who is reviewing the form and once the preparer of the nomination have agreed that a draft is in its final form, then it will be scheduled for presentation at the next available meeting that occurs each year in February, June, and October. She said if that property is in the jurisdiction of a CLG, part of the window of time has to include a 60-day comment period. She said the comment is asking if the CLG believes that it meets or does not meet the criteria for listing or not in the National Register. She said this time period gives the CLG time to provide a reasonable opportunity for public comment at the local level and is usually done at a regular HPC meeting.

Ms. King said that if there is a nomination for a district, it is not uncommon for an SHPO representative or an outside consultant to be present at the HPC meeting for public comment purposes.

Ms. King stated the types of things that can be listed in the National Register buildings, structures, sites, objects, and districts.

Ms. King reviewed the National Register Criteria for Evaluation. The four main criterion are Criterion A – Events/Patterns of History, Criterion B – People, Criterion C – Design/Construction, and Criterion D – Informational Potential. She explained that Criterion A is used often to list schools and education. Criterion B is for people that were significant persons in our history. Criterion C are for properties that embody distinctive characteristics of a type, period, or method of construction, that represent the work of a master, or that possess high artistic values. Criterion D is often used for archaeology, and a research plan will be needed.

Ms. King reviewed the following seven criteria:

- A. Religious Properties are eligible if it derives its primary significance from architecture or artistic distinction or historical importance.
- B. Moved Properties are difficult to list, and they are a property removed from its original or historically significant location. She explained these can be eligible if it is significant primarily for architectural value or it's the surviving property most importantly associated with a historic person or event.
- C. Birth Places or Graves are eligible if the person is of outstanding importance and if there is no other appropriate site or building directly associated with his or her productive life.
- D. Cemeteries are eligible if it derives its primary significance from the graves of a person of transcendent importance, from age, distinctive design features, or from association with historic events.
- E. Reconstructed Properties are eligible when it is accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan and when no other building or structure with the same associations has survived.

HPC Chair Plaag mentioned that the Hickory Ridge cabin at Horn in the West is approaching the 50-year mark.

- F. Commemorative Properties are properties primarily commemorative in intent that can be eligible if design, age tradition, or symbolic value has invested it with its own historical significance, and a good example of this is the Wright Brothers National Memorial Monument in Dare County.

- G. Properties That Have Achieved Significance within the Last Fifty Years represent a property achieving significance within the last fifty years is eligible if it is of exceptional importance an example is the J.S. Dorton Arena in Wake County, and it is listed.

Ms. King said a resource must have “historic integrity” and an example of that is the Foster’s Log Cabin Court in Buncombe County.

Ms. King talked about Contributing and Non-Contributing Resources. She said it is important to know in a district that some buildings are non-contributing sometimes due to age or lack of integrity. She showed examples from the Winston Historic District that pointed out the difference of contributing and non-contributing.

Ms. Bartos asked Ms. King to give the status of surveys from Watauga County. Ms. King received a very good survey by Tony VanWinkle, and she is still waiting on the Boone survey to come into their SHPO office. HPC Chair Plaag noted that the HPC is working on those materials. He also pointed out that Dr. Kristen Baldwin-Deathridge from Appalachian State University has been using her class to begin the surveys for two neighborhoods, Cherry Park and Daniel Boone Park. He said when the students have completed their surveys, they will forward them to the HPC for their review. He said it is understanding that the students are not doing deep research on the individual properties and their history. Ms. Brantley asked if there were survey site numbers with the neighborhoods, and HPC Chair Plaag said there were no site numbers with them. HPC Chair Plaag said that when the surveys are submitted to the HPC, the HPC would ask for those numbers. Ms. Bartos said that she did not have the staff to process the site numbers. She said there are usually three or four state-wide surveys going at one given time, and Ms. King currently has ten surveys. She said this sudden influx of surveys is because of hurricane recovery money.

HPC Chair Plaag asked for an update on the new survey database. Ms. King responded with they would like to move their database online. She hoped that it would be integrated with the HPO web. She said that currently, their data is stored in a combination of an Access and SQL server, and it does not have the capacity to communicate to the GIS system because of the way it is set up. She showed how their survey files are stored on scanned sheets. She showed the HPOWEB map of the Designated Historic Resources and Historic District boundaries (with center points). She said the blue dots are National Register, the green dots are study lists, and the red dots are determined eligible. She said they hope to make more data accessible by clicking on the map. She said they would not be making all of their data available without certain credential access. She said that all of their files are available by request, they just need to receive the request first. She noted that they do not intend to put interior photos on the internet, but they would like one good photograph.

Ms. King talked about making a proposed plan for the digitizing of their survey files, and they need funding to do it because there are about 136,000 files to digitize and she noted that it would be a complicated process because there are newspaper clippings, photos, and other paper copies to scan.

HPC Chair Plaag told Ms. King that he is making headway on the survey. Ms. Bartos asked if they could get the digital copy. Ms. Mitchell said she had just started working with some of the paper files, and she remembered being connected to a portal that the survey files could be uploaded to. Ms. King said if Ms. Mitchell could send her the database, she could make the records in-house. HPC Chair Plaag said he had

all of the digital survey packets at his house, and he is sending files to Ms. Mitchell so they can print them and label them; then, the copies are given back to him to put in the packets. He said he would like to continue this process, and he plans to give SHPO a paper copy file of each property. He said that when he is done with all of the files, he would send all of them to SHPO through the portal. Ms. King said it is still a requirement to receive paper copies, but she would like to check to see if that is still the case. She said that currently, they are not moving completely away from paper, but they hope to streamline the process where the consultant is only working digitally. She added that they would prefer to get all of the files at the end of the project rather than in piecemeal. HPC Chair Plaag said that when the project is complete, he would drive the files to the SHPO office.

Ms. Bartos thanked the HPC and the Staff for all of their support and congratulated them on their new CLG status. HPC Chair Plaag thanked Ms. Bartos and her SHPO staff for presenting this training session; he thought it was beneficial for all who attended.

Adjournment

Chair Plaag adjourned this meeting of the CLG Orientation at 11:42 a.m.

Eric Plaag, Chair

Marlene Crosby, Board Secretary

**TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
MAY 2, 2023, 3:00 p.m.
WebEx Video Conferencing**

Historic Preservation Commission Members in Attendance:

Vice-Chair Bettie Bond, Chuck Watkins, and James Sharp

Student Member: Riley Ziegler

Council Liaison: Virginia Roseman

Town Staff in Attendance:

Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner, and Marlene Crosby-Board Secretary,

Others in Attendance: Mark Freed, Director of Cultural Resources, and Ellie McCorkle-HPC Intern

CALL TO ORDER

Vice-Chair Bettie Bond called the Boone Historic Preservation Commission meeting via WebEx to order at 3:02 p.m.

ADOPTION OF AGENDA

Ms. Jessica Mitchell, Long-Range/Special Projects Planner, asked to add the Hayes-Bryan-Greene Cemetery Historical Marker Ceremony under Staff Updates.

Member Sharp made a motion, seconded by Member Watkins, to adopt the agenda as amended.

Vote: Aye – All

Nay – None

The motion passed.

APPROVAL OF MINUTES

Vice-Chair Bond outlined the following suggested changes to April 4, 2023, meeting minutes:

- Page 2, paragraph five, sentence two, remove “Ms. McCorkle explained that this draft is in the final stages”
- Page 2, paragraph seven, sentence two, change “liked” to “appreciated”
- Page 3, first paragraph, sentence one, change it to read “Vice-Chair Bond asked if there was any indication of when aluminum storm doors and storm windows began to appear.”
- Page 3, first paragraph, sentence three, change it to read “Chair Plaag said he didn’t think we knew when the aluminum storm windows and doors were installed.”
- Page 3, first paragraph, sentence four, change to read “He said it was very common in the 1970s during the Carter Presidency when there was a lot of weatherizing of homes being done because of the energy crisis.”
- Page 3, first paragraph, sentence seven, change “vinyl storm windows” to “vinyl windows”
- Page 3, paragraph four, sentence three, change it to read “He said the design standards for this property would have to be created.”
- Page 5, paragraph two, sentence three, delete “He said that the house had been altered and lacked the integrity to what it would have had during the Rivers’ family ownership.”

- Page 7, paragraph seven, sentence three, remove the comma between “students” and “that would be volunteering”
- Page 10, paragraph five, sentences one and two, rewrite to “Following Staff’s discussion of recent Statement of Conformity applications, Chair Plaag explained that before this meeting, he had noticed the poor appearance of the garage doors and steps at the Old Miller Salvage building located at 260 Howard Street. He added to this discussion of the recent projects because of his concern regarding the garage door and concrete stoop elements of the building.”

Motion and Vote:

Member Sharp made a motion, seconded by Student Member Ziegler, to approve the amended April 4, 2023, meeting minutes.

Vote: Aye – All

Nay – None

The motion passed.

PUBLIC COMMENT

No individuals requested the opportunity to speak during public comment.

BOONE CEMETERY INTERPRETATIVE PANEL DRAFT PANEL TEXT AND DESIGN

Ms. Mitchell informed the HPC that Chair Plaag had emailed to Staff this afternoon the draft text for Panels 1 and 4 and three images (permanently attached). She screen-shared the draft text document and images during the meeting. She said that Chair Plaag wanted the HPC to review them and give their feedback, that will be further discussed at the June advisory meeting.

Ms. Mitchell also pointed out that Chair Plaag told her he was still working on Boone Cemetery Interpretative Panels 3 and 4 and the Stoneman’s Raid Interpretative Panel draft text.

Vice-Chair Bond asked Ms. Ellie McCorkle about the Boone walking tour and if there was information about the cemetery from the walking tour. She also pointed out that since it is the Year of the Trail for North Carolina, she hoped some informational ties could be incorporated into the draft text for the Civil War Trail and Stoneman’s Raid. Ms. McCorkle stated that those links could be incorporated into the draft text for the Boone walking tour, Civil War Trail, and Stoneman’s Raid. Member Sharp stated that he did not find any issues with the draft text for the Boone Cemetery Interpretative panels, and he thought the text was well-written.

Discussion ensued on the three images. Ms. Mitchell screen-shared the three images that Chair Plaag had emailed Staff. Ms. Mitchell pointed out that the first image was a headstone for Jordon Mast Council image for Panel 1. Vice-Chair Bond noted that this headstone in the image was placed in the cemetery and is missing from the cemetery. Vice-Chair Bond asked Ms. McCorkle if she knew a date for the headstone, and Ms. McCorkle replied that known images were from around the mid-1930s. Ms. Mitchell pointed out that the aerial photo of the Boone Cemetery, circa 1950, was also meant for Panel 1. Ms. Mitchell believed the third image was for the Union soldier panel.

Member Watkins thought the images were good and hoped they would be well designed on the panels. Vice-Chair Bond asked why this image was chosen for the Union Soldier panel. Ms. Mitchell thought one part of the answer to Vice-Chair Bond’s question might be from Chair Plaag’s text for Panel 4. She read the following text, “Boone as it appeared in 1885, shortly after the Civil War.” Vice-Chair Bond responded

that was 20 years after the Civil War. Discussion ensued on identifying the church shown in the third image.

Student Member Riley noted that in the text Chair Plaag referred to a barn in the image. She asked if this could be part of the answer to Vice-Chair Bond's question. It was the consensus of the HPC and Council Liaison Roseman they were not sure why this photo was chosen for the Boone Cemetery Interpretative Panel. Vice-Chair Bond added that if the image is confusing to them, it would be confusing to someone reading the panel for the first time.

Member Watkins complimented Chair Plaag for reducing the draft text for the panels. He referred to Panel 4, and in the last line of the first paragraph, he suggested for this sentence to read, "the man who owned this land and where the cemetery sits."

Member Watkins referred to Panel 4 and the text in the second paragraph and sentences three and four and read, "It is impossible to know why they fought for the North, but many who did hold Unionist views despite being Southerners." He pointed out in the next paragraph, "If we accept the tradition that this eastern part of the Boone Cemetery was already in use in 1865 as a burying ground for those enslaved by the Council family, then the decision to locate these White soldiers here may have been the Council family's commentary on those who were fighting to end slavery." He added that we do not know if they were fighting to end slavery. He pointed out that in the second paragraph, the text implies that we don't know if they were fighting to end slavery, and in the third paragraph, the text says we do know they were fighting to end slavery. He suggested that the HPC needed to pick one or the other of these two statements regarding slavery. Vice-Chair Bond suggested removing the first statement from the text because it is impossible to know about slavery. Member Watkins told Vice-Chair Bond that her suggestion would invalidate the whole purpose of the first part of the paragraph, stating that they were Southerners.

Student Member Ziegler pointed out that the aerial image was taken from page 16 of Appendix D. She read the description, "... present-day Burrell and Rivers Streets. In the center foreground is the first Boone Baptist Church, with the Critcher Barn and the Coffey Hotel, and Old Brick Row directly beyond. The pathway between the Critcher Barn and the Coffey Hotel would later become Depot Street," and the image is part of the Watauga Digital Project.

Vice-Chair Bond agreed with Member Watkins that the text in paragraphs two and three of Panel 4 were contradictory statements regarding slavery. She stated it was important that the family allowed them to be buried there, and then to be buried in the black section is certainly the family's commentary. She asked the HPC if they were alright if Chair Plaag was informed about this situation and asked him to make the proposed changes to the draft text.

Ms. Mitchell noted that the sign company has a design service to help with the creation of the images on the panels. Member Watkins showed concern for how the images might look like on the panels, he said he did not want them to look like they were made in the 1960s. Vice-Chair Bond added that a QR code might help this picture selection as well.

Council Liaison Roseman thought it was better to have one section of an image that is blown up, and you can see what you are supposed to be focusing on rather than a larger image that is grainy and unclear.

Ms. Mitchell told the HPC that if they had other questions on this agenda item, they could email them to her at Jessica.Mitchell@townofboone.net, and she would send them to Chair Plaag to try to incorporate them into the draft text prior to the next advisory meeting.

STONEMAN'S RAID INTERPRETATIVE PANEL DRAFT PANEL TEXT AND DESIGN

Ms. Mitchell suggested that this topic can be tabled since there was no draft text to be reviewed.

Student Member Ziegler made a motion, seconded by Member Sharp, to table this agenda item until the next HPC advisory meeting on Tuesday, June 6, 2023.

Motion and Vote:

Vote: Aye – Nay
Nay – None

The motion passed.

HPC INTERN LANDMARK REPORT UPDATE

Vice-Chair Bond said she had some proposed changes to the draft report, but she would be seeing Ms. McCorkle the next day and would address them with her at that time. She asked the HPC if they had any proposed changes to discuss at this meeting.

Member Watkins read the proposed changes that he made to packet page 15 under, II. Abstract:

The R.L. Clay House is proposed for designation as a local historical landmark due to its association with several members of the Rivers family who were influential in the history of the town of Boone. Members of the Rivers family owned and resided in the home for more than 50 years, as they either operated or published the local newspaper, the *Watauga Democrat*. R.C. Rivers, Jr. operated the *Watauga Democrat* for 42 years, with 30 years of that while living in this home. Rachel Rivers-Coffey the granddaughter of R. C. Rivers, Sr., and daughter of R.C. Rivers, Jr., was raised in the house before she took over the *Watauga Democrat* after her father passed. She and her husband, Paul Armfield Coffey, donated the property to the Town of Boone in 1998. These factors create a high significance at a local level.

Member Watkins noted that he had made more proposed changes to the draft report and would send them to Ms. Mitchell to give to Ms. McCorkle. Student Member Ziegler and Member Sharp said they were still reviewing Chair Plaag's edits to the draft report, and if they found any proposed changes, they would forward them to Ms. Mitchell soon.

Vice-Chair Bond added that many of her changes were also within the same area as Member Watkins's with the tightening of that part. She stated that she appreciated including both Rachel Rivers-Coffey and Paul Armfield Coffey in the paragraph because it was a joint decision.

Ms. Mitchell asked Ms. McCorkle to describe the name used for the R.L. Clay House/Rivers House property. Ms. McCorkle explained that the colloquial name for the house is the Rivers House, but in the designation, it will be referred to as the R.L. Clay House because that is whom the structure was built for during its period of significance.

Ms. McCorkle explained through further research into the deeds, there are only three of the seven parcels included in the draft report that should be designated because of boundary issues, continuity of ownership, and original ownership. She said the next draft report will include parcel numbers ending in 3934 for the house, 9070 for the eight acres, and 0308 for the property with the one-and-one-half acres in the back behind the eight acres that includes "Rachel's Meadow" and "Baby," the Champion Sugar

Maple. She noted that “Baby” straddles two boundary lines. She further added that the fence that is around “Baby” is located where there are three boundary line intersections. She said that designation would be proposed for “Baby” in the fenced area where it is located. She said the Daniel Boone Monument would be included in the designation.

Ms. Mitchell pointed out that moving forward, she will reference the house as the R.L. Clay House with Rivers House in parentheses.

Vice-Chair Bond asked Ms. McCorkle when the HPC should expect to see the next final draft report. Ms. McCorkle said she would try to get all of the new edits incorporated into the said report in the next couple of weeks and send the report to Ms. Mitchell. She said she would also send a rough draft of the Jones House Local Landmark Designation report to Ms. Mitchell for the HPC to review at the next HPC advisory meeting.

R.L. CLAY/RIVERS HOUSE LOCAL LANDMARK DESIGNATION DRAFT DESIGN STANDARDS

Vice-Chair Bond referred to packet page 31. Ms. Mitchell explained that the HPC had previously discussed writing the design standards at the same time a designation report was written. She noted that Town Council could then review them at the same time for a proposed local landmark designation property. Ms. Mitchell said that Student Member Ziegler had said at the last meeting that she would try to create design standards for the R.L. Clay/Rivers House. She added that the design standards are something the HPC can continue to work on.

Student Member Ziegler said she began her work covering different aspects of the house using Appendix D, the Comprehensive Architectural Survey of Downtown Boone, and Ms. McCorkle’s drafts. She explained that the document gave descriptions and talked about what would be expected of homeowners if they were making any type of changes to the historical aspects. She noted that she had made some changes to the draft since she sent the first one to Ms. Mitchell. She added that she hoped to have the draft more complete before the next advisory meeting so the HPC could review it.

Vice-Chair Bond confirmed with Student Member Ziegler that she would be attending the June 2023 HPC meeting. Student Member Ziegler responded that she would be at the next meeting and that she had reapplied for the student position on the HPC.

UPDATE ON THE DOC AND MERLE WATSON MURAL

Ms. Mitchell referred to packet page 36 and a memo dated April 21, 2023. She said the memo described the updated text she had received regarding the informational plaque with the mural; she added that this memo was in reference to an email she sent to the HPC earlier in the month. She explained that the HPC had recommended that the text be revised about Doc and Merle Watson’s life, and the HPC suggested contacting Dr. Gary Boye at Appalachian State University to get more information.

Ms. Mitchell asked the HPC for their feedback on the memo. She said the artist and those involved were asked to send the updated plaque text to their contacts at the North Carolina Department of Cultural and Natural Resources.

Ms. Mitchell said the latest rendering was presented to Council, and the artist was to incorporate some of the white space around the mural because that was part of the recommendation. She said that the former Downtown Boone Development Association (DBDA) Coordinator, Ms. Paige Henderson, was handling the text on the plaque, but she is no longer working for the Town. She said now Ms. Amy Davis,

Town Manager, is handling it. Council Liaison Roseman said the way it was presented to Council did not include any of the recommendations the HPC had provided. She said it was approved by Council with acceptance of the HPC's guidance, such as raising the picture to show more of the guitar and having the faded-out edges. She added that what was in the newspaper, as Vice-Chair Bond mentioned, was not what Town Council approved, as Town Council approved based on the HPC's suggestions.

Member Watkins asked if the HPC could still make proposed changes to the mural text. Ms. Mitchell said she could receive any changes and pass them along to see if they could be incorporated. Vice-Chair Bond and Council Liaison Roseman suggested including Doc's birth and death dates (1923-2012) in the text. Council Liaison Roseman suggested that the plaque does not have to be changed, just a text change to the mural, and Ms. Mitchell and Vice-Chair Bond agreed that this could be an option.

Ms. Mitchell asked the HPC if this revised text addressed the HPC's concerns from the first time they saw it. Vice-Chair Bond and Member Watkins agreed the revised text was an improvement.

STAFF UPDATES

Ms. Mitchell talked about the Certified Local Government (CLG) orientation that the HPC held on April 12, 2023. She said after the orientation, she contacted all of the State Historic Preservation Office (SHPO) staff and thanked them for their time. She said she received an email of appreciation from Ms. Ramona Bartos, Director of the SHPO, and she read it to the HPC.

Ms. Mitchell said the HPC had met their CLG training requirements for their first year by attending the recent CLG Orientation. She also mentioned another training opportunity for the HPC if they were interested, which is a free webinar on "Aging Facades on Buildings" to be held on May 9, 2023. She said if any HPC member wanted to attend the webinar, they could email her, and she would send them the web link to watch it. She reiterated that it is not required. She added that while the HPC has met the requirements that she would continue to inform the HPC of any various training that comes up.

Ms. Mitchell reminded the HPC that the Hayes-Bryan-Greene Cemetery historical marker unveiling ceremony would be held on Friday, June 2, 2023, at 1 p.m. at the corner of Queen Street and Water Street. She noted that there would be a partial road closure for this event. She has begun working on the press releases for this event. She noted that she would email the HPC to see who will be in attendance when it gets closer to the date of the event.

Ms. Christy Turner, Senior Planner, updated the HPC on recent Statement of Conformity applications that the Planning Staff had received in the last month. She said one application was issued for 140 Appalachian Street, where "Pads for Grads" is located at, to remove the shutters. She noted that the applicant removed the board and batten shutters before contacting Staff. She stated that the applicant wanted to replace the shutters with vinyl shutters. She told the applicant that he had to replace the shutters with board and batten material with like-kind material. She added the applicant decided to leave the shutters off.

Ms. Turner said another application was issued for apartments above Highway Robbery, at 609 W King Street, for a roof replacement with like-for-like materials. She noted that she would make sure that the trim elements and the roof material stayed the same on the building.

HPC MEMBER UPDATES

Student Member Ziegler talked about a post she saw on Instagram on the DRABA account, and the post mentioned the HPC and that they were working on the Doc and Merle Watson mural.

Member Watkins pointed out that Southend Brewing Company had removed the existing building material, and the original façade material is visible. Ms. Mitchell informed the HPC that the Certificate for Appropriateness (COA) had been approved for the Southend Brewing Company, and it had been sent to them. She added the applicant from Southend Brewing Company had been in contact with the Planning Staff regarding the exposed facade.

Ms. McCorkle announced that on May 5, 2023, from 5 p.m. to 7 p.m. at the Jones House Main Gallery, there would be the opening reception for an unusual and anticipated exhibit called, 'Animals of Digital Watauga.'

JUNE ADVISORY SESSION MATERIAL

Ms. Mitchell asked the HPC about the agenda items for their next meeting. The HPC decided on the following items for their next meeting: Boone Cemetery Interpretative Panel Draft Panel Text and Design, Stoneman's Raid Interpretative Panel Draft Panel Text and Design, HPC Intern Landmark Report Update on the R.L. Clay/R.C. Rivers House Local Landmark Report, R.L. Clay/Rivers House Local Landmark Designation Draft Design Standards.

ADJOURNMENT

Student Member Ziegler made a motion, seconded by Member Sharp, to adjourn the meeting at 4:12 p.m.

Vote: Aye – All

Nay – None

The motion passed.

Bettie Bond, Vice-Chair

Marlene Crosby, Board Secretary

Panel #1: Boone Cemetery

The land for the Boone Cemetery is historically associated with the Council family and was once owned by Benjamin Council, Sr. (1795-1877). The earliest known burials here were Council family members, but other interments soon followed. By the 1880s, locals treated this as the town cemetery, even though it remained on privately owned land. Cemetery neglect and poor maintenance were a recurring problem by the late 19th century.

From its establishment, the cemetery was also racially segregated. Most surviving grave markers are in this west section of the cemetery, which was reserved for White burials. Black burials, the earliest of which had been persons enslaved by the Council family, were restricted to the east section. Following the Civil War, the east section continued to be used by local Blacks until the 1950s, when Clarissa Hill Cemetery was established west of Boone for Black burials.

In 2015, the Town of Boone acquired both sections of the Boone Cemetery to provide for its long-term preservation. Since then, the Town has installed a new perimeter fence and a retaining wall at the east end of the cemetery to prevent erosion, cleared the grounds of overgrowth, cleaned and reset stones, and created cemetery interpretive programs. Occasional burials for relatives of those already buried here still occur with Town approval. You can use the QR code on this sign to locate specific burials. [228 words, not incl. title]

[Photo of Jacob Mast Council headstone, now missing]

Caption: Local tradition suggests that Jacob Mast Council (1830-1865), whose gravestone is now missing, was the first burial here following his death during Stoneman's Raid, but other evidence suggests burials likely occurred here for decades before Council's death. Several nearby headstones point to earlier interments, although the markers likely came later. The clasped hands on Council's stone are symbolic of matrimony. Image courtesy of the North Carolina State Historic Preservation Office. [70 words]

[QR Code]

[Aerial Image of Boone Cemetery]

Caption: Aerial image of Boone Cemetery, ca. 1950. Image courtesy of the Palmer Blair Collection, Digital Watauga Project. [17 words]





Panel #2: How to Use the Boone Cemetery

[Located adjacent to Panel #1] The Boone Cemetery contains the graves of many people, Black and White, associated with the founding and early history of Boone. It is regarded as a sacred space deserving of appropriate respect. For families and friends of those buried here, inappropriate behavior in the cemetery can be deeply offensive and upsetting. It can also cause physical harm to you or others, as well as the grave markers. Here are the ground rules for visitors; violators will be treated as trespassers and prosecuted accordingly:###

- The Boone Cemetery is open to the public from dawn until dusk, 365 days a year.***
- Do NOT lean or sit on ANY of the gravestones in the cemetery.
- Children must be accompanied by an adult and shall not roam freely in the cemetery.
- Do NOT attempt to clean, do “rubblings,” or otherwise touch grave markers.
- Do NOT remove tributes that you find on a gravesite, including flowers, flags, rocks, coins, or other items left by loved ones.
- Avoid standing directly on burial plots.
- Be quiet and respectful while visiting the cemetery.
- Dogs and other pets are STRICTLY prohibited from the cemetery grounds.
- Sunbathing, picnics, alcohol consumption, and sporting activities are STRICTLY prohibited in all parts of the cemetery.
- Littering, including cigarette butts, is STRICTLY prohibited.
- Vandalism and desecration of gravesites and headstones are violations of NC Statutes 14-127.1 and 14-148. [224 words]

[Image of Rita Sheridan’s gravesite] *Caption:* The revered gravestone of Rita Sheridan, a circus performer, was badly damaged through the carelessness—or vandalism—of a visitor to the cemetery and now lies in pieces on the ground. Image courtesy of Eric Plaag. [36 words]

[QR Code] *Caption:* Use this QR code to find interesting stories about some of the dead who are buried here. [17 words]

See note below. This language appears in the same “Rules and Regulations.”

*** I can find no state or local ordinance that actually sets this rule, so one may need to be passed by Town Council. That said, the “Rules and Regulations of the Boone Cemetery, Boone, NC” that were drafted in 2016 included a provision that said, “The cemetery’s public hours of access will be dawn to dusk, 365 days per year.” I don’t know if this was ever passed as an ordinance, but I could not find it in the published Town ordinances.

Panel #3: A Divided Cemetery

The stone line at your feet marks the boundary that once divided the Black section of the cemetery to the east from the White section to the west. Racial segregation of gravesites was common in the South and likely originated here with the Council family's pre-Civil War burial practices. Local tradition holds that the Council family interred those they enslaved in the east section and their family members at the crest of the hill to the west.

Slavery may have formally ended in 1865, but racial segregation did not. In the century that followed, locals usually called the cemetery's east section the "Colored Cemetery" and the west section the "City Cemetery."¹ White cemetery trustees and town officials maintained the west section but often neglected the east section. Under the economic realities of systemic racism, finely carved monuments marked graves in the west section, while flagstones marked most east section graves if they were marked at all.

In 1958, town officials took over maintenance of the privately owned west section and constructed a chain-link fence between the two sections and around the rest of the west section. Boone mayor Gordon Winkler justified the fence as a way to keep college students out, but the east section received no such protections. Instead, officials closed the overgrown east section to new burials, and Black residents were directed to inter their loved ones in the potter's field on the old County Home site three miles west of here, now known as Clarissa Hill Cemetery.²

The two sections remained divided by the chain-link fence until 2015, when the Town acquired the entire cemetery and removed the fence marking Boone's racial division of its dead. A 2016 ground-penetrating radar survey identified nearly 200 east section graves, each now marked by a flat stone. [297 words]

[QR Code] *Caption:* Use this QR code to learn more about those buried in the east section. [15 words]

[2015 photograph showing chain link fence in cemetery]

Caption: This 2015 image shows the chain-link fence separating the historically Black and White sections of the Boone Cemetery. Image courtesy of Eric Plaag. [23 words]

¹ This footnote is not to be included on the panel, but in case there is any doubt about the racial segregation of the sections, deeds from the early twentieth century clearly referred to the west section as the "white graveyard" and the east section as the "burying grounds for the colored." See, for example, John E. Brown and Bessie A. Brown to F. J. Brown and Mary A. Brown, April 14, 1914, Deed Book 16, Page 391, Watauga County Register of Deeds; and A. D. Blair and Josie Blair to Jerry Lenoir, et al, trustees, May 1, 1919, Deed Book 28, Page 240, Watauga County Register of Deeds.

² This footnote is not to be included on the panel, but Winkler acknowledged the specifics and inconsistencies about the fence in an interview in 1979. See Mike McLaughlin, "Union Soldiers, Blacks Are Buried in the Town's 'Forgotten' Cemetery," *Watauga Democrat*, August 23, 1979: B12. Winkler and the Democratic candidates for City Council actually campaigned for re-election in 1957 on the fence issue; see "A Statement to the Voters and Citizens of Boone from the Democratic Candidates for Mayor and City Council," *Watauga Democrat*, June 13, 1957: 8. On completion of the fence, see "Good Improvement," *Watauga Democrat*, October 16, 1958: 4. On the Clarissa Hill transactions, see Watauga County to Trustees of the Clairica Hill Cemetary, November 27, 1956, Deed Book 77, Page 466; and Watauga County a Municipal Corporation to Clarica Hill Cemetary, February 4, 1957, Deed Book 79, Page 74, Watauga County Register of Deeds. Burials appear to have begun at Clarissa Hill in 1955.



11/20/2015 16:35

Panel #4: Boone's Union Dead

On March 28, 1865, Union troops entered downtown Boone from the west, and Boone's Confederate Home Guard fired upon them from positions in the James W. Councill House, on the site of the present downtown post office. Quickly overwhelmed, the Home Guard scattered toward Howard's Knob. When the skirmish was over, three local residents were dead, several wounded, and 68 Watauga men taken prisoner. Jacob Mast Councill, who did not participate in the fighting, was ambushed by Union troops at his barn a short distance north of here. Councill was the son of Benjamin Councill, Sr., the man who owned this land where the cemetery sits.

A week later, a second wave of Union troops occupied Boone as other detachments seized control of nearby Deep Gap and Blowing Rock. Among those new arrivals were three White soldiers—North Carolina natives William T. Bradley, age 18, and Henry P. Evans, 33, and Kentucky native John E. Maricle, 29. All three men died at Boone from disease. It is impossible to know why they fought for the North, but many who did held Unionist views despite being southerners. Two other Union soldiers from their regiment also died at Boone, but their burial sites are not known.

If we accept the tradition that this eastern part of the Boone Cemetery was already in use in 1865 as a burying ground for those enslaved by the Councill family, then the decision to locate these White soldiers here may have been the Councill family's commentary on men whom they perceived were fighting to end slavery.³ Nevertheless, Benjamin Councill's willingness to allow their burial on his land after the killing of his unarmed son just a few weeks earlier is also striking. [286 words]

[QR Code] *Caption:* Use this QR code to learn more about Stoneman's Raid and the soldiers buried here. [15 words]

[Angelo Wiser map showing route of Stoneman expedition from Beech Mountain to Boone, March 28, 1865]

Caption: Angelo Wiser's map showing the route taken by Stoneman's men from Beech Mountain to Boone on March 28, 1865. Image courtesy of the Library of Congress. [26 words]

³ The placement of the Union soldier graves was almost certainly commentary on assumptions about their views on Blacks. Regardless of the reasons these soldiers had joined the Union cause, the southern press routinely ran stories describing invading Union troops as "[N-word] lovers." For two North Carolina examples, see "Fidelity of Southern Slaves," *Wilmington Journal*, 29 December 1864: 1; and "Yankee Letters," *Evening Bulletin* [Charlotte, NC], 1 June 1863: 2. Both of these stories appeared in numerous North Carolina papers. For an example of a similar story from a Tennessee paper, see "More of the Texan Barbarities," *Nashville Daily Union*, 1 March 1863: 1. This was not just a regional sentiment; northern papers also included many articles and editorials from northerners frustrated with the war that used this same epithet to describe abolitionists and some Union troops. One soldier from the 84th Indiana, writing from Shell Mound, Tennessee, complained about this treatment in a letter to the editor in 1864, writing, "There are a few cowardly, sneaking miscreants and home cowards who are constantly calling us traitors, abolitionists, and [N-word] lovers. Now let me tell you we are neither one nor the other; but we are men who responded to our country's call, and who have left our homes, parents, and all the comforts derived therefrom, to support the Constitution and hold sacred that blood bought emblem, the stars and stripes given to us by our forefathers." See "The Army: From the Eighty-fourth Indiana Regiment," *Miners' Journal* [Pottsville, PA], 16 January 1864: 2. [This note is for the benefit of HPC commissioners and not to be included on the interpretive panel.]

Reese
 Hatleys Mill
 Beach Mt Cr
 Bushy Br Rd 2 m.

8th day

travelled about 18 m - to day
 stopped to feed at Councils about 11 miles

Parthing
 Friest
 Hantam
 to Elk
 in Banner
 to Abington 65 m - also to Taylorville 23 m -
 Virginia Rd on Core Cr - 2 m -
 Hazermans
 Councils 4 m - from Boone
 Council - 6 m

Hodge - 1 1/2 m from Boone - three sons in ar
 Boone
 2 m from Boone
 Harding

New River
 at Boone
 8th day

Communication: Boone Cemetery

THE FINEST
ARTS OVERLOOK
JAN 27 1900
DIRECTOR OF PROFESSIONAL
DIED NOV 1900



Skirmish at Boone, March 28, 1865

On March 28, 1865, Union troops commanded by Major General George Stoneman were conducting a cavalry raid into northwestern North Carolina from eastern Tennessee when they learned that the Watauga Home Guard would be meeting at Boone that morning. Hoping to surprise them, a detachment of the Twelfth Kentucky Volunteer Cavalry led by Stoneman's aide-de-camp, Major Myles Walter Keogh, entered downtown Boone about 11:00am from the west along King Street. Members of the Home Guard who had taken positions in the James W. Councill House, located at the present site of the Boone Post Office, opened fire on the Union troops. Quickly overwhelmed, the Home Guard forces fled toward Howard's Knob before surrendering.

Union reports claimed nine members of the Home Guard were killed and another 68 captured, along with 40 horses. Known dead from Boone included Jacob Mast Councill, a non-participant in the skirmish who was killed at his barn, as well as Ephraim Norris and Warren Green. Another five Home Guard members were injured and treated at the Councill house, which was converted to a field hospital.

In the aftermath, several Union prisoners were released from the Boone Jail, which was promptly burned. The Watauga County Courthouse, located just a few yards west of the Councill home on the present site of the Frank A. Linney House, was badly damaged and fortified for the use of more than 400 Union troops from the Second and Third North Carolina Mounted Infantry regiments under command of Colonel George W. Kirk, who occupied Boone over the next few weeks. Local tradition holds that some county records were lost or "carried away" during the occupation. Local homes were ransacked for forage. Meanwhile, five of those Union soldiers fell ill and died at Boone. At least three of them are buried in the Boone Cemetery, approximately half a mile to the southeast. By late April, Kirk's forces moved on, and Boone looked to rebuild as the war came to a close.

The skirmish at Boone was the culmination for four years of hostilities that divided Watauga County, neighbor from neighbor, for much of the war. Indeed, perhaps a dozen members of the occupying Union forces at Boone were Watauga County natives who had volunteered for service with the Union Army. One such soldier was John Gragg, an 18-year-old farmer who enlisted in November 1864. Others included William Blackburn, age 44; Levi Green, age 19; James Hartley, 33; Demarcus Hodges, 19; and Darby Triplett, 19. All of them were also farmers. [417 words]

[QR Code] *Caption:* Use this QR code to learn more about Stoneman's Raid through Watauga County and its participants. [16 words]

[Photograph of Captain Myles Walter Keogh, circa 1868] *Caption:* Captain Myles Walter Keogh as he appeared circa 1868. Keogh had a long career with the Army after the Civil War, largely in the western theater. He was killed at the Battle of Little Bighorn in 1876. His horse, Comanche, was considered the only "military survivor" of the slaughter at Little Bighorn. [52 words]

Carl H. Korn or Kornig



Communication: Stoneman's Raid Draft Interpretative Panel Design

R.L. CLAY HOUSE (WTO53O)

I. General information

A. Common and Historical Property Names

1. R. L. Clay House (Ca.1933-1945)
2. R. C. Rivers House (Ca. 1945-today)

B. Physical Address or Location

1. 150 Clay House Dr, Boone, NC 28607
 - a) North (primary) elevation faces Rivers St.

C. Tax Parcel Identification Numbers (PIN)

1. Parcel ID: 2900-78-3934-000
2. Parcel ID: 2900-69-9070-000
3. Parcel ID: 2900-79-0308-000

D. Current Owner Name

1. Current Owner is the Town of Boone and has been since the donation of the house and properties beginning in 1998. There was a life tenant included with the house deed that left the house in 2011. It has been uninhabited since and used for storage.

E. Current Owner(s) Mailing Address(es)

1. 567 W King St, Boone, NC 28607

F. Appraised Value of the Property 2022

1. Parcel ID 2900-78-3934-000: Total value \$682,200. Land value is \$55,300 and building value of \$626,900.
2. Parcel ID 2900-69-9070-000; Land value of \$821,100.
3. Parcel ID 2900-79-0308-000; Land value of \$108,600.

G. Date of Construction

1. Circa 1933 House
2. Circa 1940 Garage

H. Historical Significance

1. Criterion B: Association with Person(s) 1945-1998
2. Criterion C: Architectural Significance ca.1933, ca. 1945.

II. Brief Statement of Significance

This property is proposed for designation as a local historical landmark due to its local significance for its association with several members of the Rivers Family who were influential in architecture and in regard to its proximity to influential individuals in the town of Boone. Members of the Rivers family resided in and owned the home for more than 50 years as they operated and published the local newspaper, the *Watauga Democrat*. R.C. Rivers Jr. ran the *Watauga Democrat* for 42 years, 30 years of that while residing in this home. Rachel Rivers-Coffey, the granddaughter of R.C. Rivers Sr., daughter of R.C. Rivers Jr., was raised in the home before she went on to take over the *Watauga Democrat* after her father passed. She, and her husband Paul Armfield Coffey, are responsible for the donation of the property to the Town of Boone in 1998. These factors create a high significance at a local level.

The R. L. Clay House is also locally significant for its architecture. The one and a half story R. L. Clay House with its subdued, Colonial Revival influences was constructed using native stone construction circa 1933. Its use of native Stone is an early local example of a popular trend that accelerated with the Works Progress Administration (WPA) funding of Colonial Revival, native stone buildings during the mid to late 1930s. Also included in this designation is the two-story native stone garage to the south-east of the home.

Three of seven legal parcels in this vicinity that are owned by the Town of Boone are proposed for designation, all three of which were associated with the Rivers Family from at least the mid-1940s. All three parcels were acquired by the Town of Boone; thanks to donations from Rachel Rivers-Coffey and/or Paul Armfield Coffey. This is not all of the land once associated with the property as some of the original holdings were either subdivided or sold off and developed by private individuals and companies. The other four nearby parcels owned by the Town are either noncontiguous to the boundary parcels or not historically associated with the Rivers Family. There is a prize Sugar Maple, *Baby*, that straddles two of the parcels to the northwest of the R. L. Clay House. The parcels proposed for designation continue to provide historic context for the close relationship the Rivers family had to the town and community of Boone.

III. Architectural Description

The R.L. Clay House is one and a half-story, side-gabled home with a native cut stone exterior, and it features subdued, Colonial Revival influences. It is three bays wide and built to face north, towards the present-day Rivers Street. The house sits perpendicular to another street, historically known as South Water Street, and has recently been renamed Burrell Street. Access to the property is via a long, circuitous driveway, known as Clay House Drive, located off of Moretz Drive to the southeast. The property retains a one and a half-story two bay garage that also features a native, cut stone exterior. This garage is located at the end of Clay House Drive and just southeast of the house. Walkways, outside stairwells, retaining walls, and curbing throughout the property are also of native, cut stone and are apparently part of the original

landscaping plan. The roof of the house, until recently, was composed of asbestos shingles designed to resemble slate, but these were probably not original. These were removed in 2015 and replaced with more traditional asphalt shingles.

The north (front) facade of the R. L. Clay House features an irregular, front gabled porch entrance that is reached by stone steps with stone cheek walls. The entrance to the porch features a flat arch lintel with a gothic-style light above, and the interior of the porch includes a stone bench on the east side of the porch with two rectangular window openings on either side of the porch. Wood weatherboard was used for the interior porch ceiling. The main entrance features a twelve-light wooden door that is protected by an aluminum screen door. This entrance, while intended as the front door to the home, is no longer used for interior access by the Town of Boone. Immediately to the east of the porch is a prominent exterior chimney of native stone with alternating steps that narrow the chimney as it rises. There is a pale stone diamond in the center of the chimney, an architectural detail that is continued throughout the design of the home, interior and exterior. The chimney includes a pronounced concrete cap with brick pier at the four corners. Further to the east of the chimney and porch on the first floor is a double set of six-over-six, double hung sash windows with a wooden surround, aluminum storm windows and stone sills. Beyond this to the east, the first floor of the north elevation opens to a square interior porch with stone flooring and walls as well as a wooden weatherboard ceiling. This is all anchored to the footprint of the house by a stone column at the northeast corner of the porch.

The porch includes one wooden doorway along the interior south wall at the southwest corner of the porch, with another similar door at the same corner along the west wall of the porch. This west wall entrance is currently used as the main entrance by the Town of Boone. Both doors are covered with aluminum screen doors. To the north of the second door, still on the west wall of the porch, is a single six-over-six double-hung sash, wooden window with a wooden surround, a stone sill and an aluminum storm window protecting it. A gothic light fixture hangs at the center of this interior porch space, some of the glass panels in this fixture are broken and missing.

Visible under each window grouping on the north elevation are two basement-level vents. The west side of the north elevation has a triple bay of six-over-six double-hung sash, wooden windows with wooden surrounds and a stone sill. All three are covered with aluminum storm windows. The second floor of the north elevation features two projecting, symmetrically spaced gabled dormers, each clad in weatherboard on their sides and what appear to be shingles on the gable fronts. This shingle material may be of asbestos that has since been painted. The dormers include prominent cornice returns with double sets of six-over-six, double hung sash, wooden windows with wooden surrounds and aluminum storm windows over them. Small vents are visible just below the apexes of these dormer gables.

The first floor of the west elevation, reading from north to south, is primarily of native stone and includes a single six-over-six, double-hung sash, wooden window with an aluminum storm window covering. A short distance to the south is an identical window. Near the center of the elevation, but offset slightly to the south, is a smaller double window group of six-over-six,

double-hung sash, wooden window with a wooden surround, stone sill, and an aluminum storm window coverings. A short distance to the south of this is a single window that is otherwise identical to those found in the double window grouping. Just above this window, the south end of the gable roofline abruptly evens out to accommodate an enclosed porch that includes another double set of windows identical to those at the center of the west elevation, with a small amount of the same asbestos shingle treatment visible between the tops of the windows and the roofline, while the bulkhead below the windows is parging over an unknown material (possibly concrete block). At ground level are three basement vents with stone lintels and stone window wells. The second floor of the west elevation includes a double set of the windows at an intermediate size between the small and large examples found elsewhere on the west elevation, but otherwise identical in their design and treatment. This set is centered underneath the west gable. The roofline of the west gable includes an aluminum boxed soffit that sports an oddly shaped cornice return at the northwest corner of the house and at no other corner.

The south elevation of the house is irregularly shaped. Reading from west to east, the first floor of the south elevation is dominated by the three-season enclosed porch that runs nearly to the center of the back of the house. This porch continues the previously described parged bulkhead treatment, with a centered, four-light door with an aluminum storm door over it; this door is flanked by double sets of windows like those found on the west elevation of this porch. For reasons that are not clear, the roofline of this porch steps down near its junction with a second floor window, perhaps in an effort to not block that window. The east return wall of this rear porch repeats the asbestos shingling for a short distance below the roof slope, with the bulkhead treatment taking up the whole east return wall. At its base is a set of stone steps with a stone stairwell wall leading down to a basement door with an aluminum storm door. This door is not visible from the interior of the basement, indicating that it leads to a separate storage space under the home. Above this, along the main body of the house is a double set of large six-over-six double-hung sash, wooden windows with a wooden surround, stone still, and aluminum storm windows. Above this, the second floor of the main block of the house reads as a wide dormer. At its center is a medium-sized, double window grouping otherwise identical to those found elsewhere with a single window of similar size just to the west, over the stepped down porch roof. A much smaller window, also otherwise identical, is visible to the east of this centered, double window group. This wide dormer features wooden weatherboard on the west and east sides of the dormer. A stone interior chimney rises from a high point of the south-facing roof at a junction with the west side of the south dormer, while another interior chimney rises from the east side of the south-facing roof, separated by a short distance from the south dormer.

Back at the first level is another projection at the southeast corner of the house, with a small, single, one-over-one horizontal light, wooden window with a stone sill and aluminum storm window over it on the west elevation of this projection. A large, single window like most of the others on the house is centered on the south elevation of this southeast projection. Along this south elevation of the house about ten feet from the back of the house, is a long, stone retaining wall that runs parallel with the house to a set of stone steps with a stone creek wall and

an iron railing just beyond the southwest corner of the house. This retaining wall continues a short distance, parallel with the west elevation of the house.

The first floor of the east elevation, moving from south to north, includes a large window like those found elsewhere followed a short distance to the north by a large double window group like those found elsewhere. A short distance to the north of this is a set of stone steps with stone cheek walls on each side and an iron railing along the top of the north cheek wall. This set of steps leads to the aforementioned open, interior porch at the northeast corner of the house. The second floor of the east elevation features a medium-sized, double set of windows identical to those on the west elevation, centered just below the gable. A boxed aluminum soffit terminates in prominent cornice returns at both ends of the roofline. Leading away from the porch steps is a cut stone pathway, with the iron railing continuing along its length. This terminates at a step down to the asphalt driveway, which is itself bounded on its west and south sides by a low, stone retaining wall.

At the southeast end of this driveway is a detached, front-gabled, one and a half-story two car garage of cut stone. Its north elevation includes the two symmetrically spaced garage bay doors of vertical wood slats, with a large six-over-six, double-hung sash, wooden window with wooden surround and stone lintel centered beneath the gable. The roof line includes an aluminum boxed soffit that terminates in prominent cornice returns. The west and east walls of the garage are essentially featureless stone while the south elevation, which is built partially into the grade includes a set of wooden steps rising to the upper level of the garage, which is accessed via wooden door with a deep wooden surround. The roofline on this gable end also includes an aluminum, boxed soffit that terminates in prominent cornice returns.¹

There is a low, creekstone retaining wall along the sloping edge of the north portion of the property, facing Rivers Street. The wall was likely more prominent when first constructed but has since been obscured by overgrowth and has partially collapsed. It appears to have been placed to aid in landscaping for the rhododendrons that grow along its top.

On the north east corner of the larger parcel (2900-69-9070-000) being designated there is a monument and small park, Rivers Park, that is included in the proposed boundary. The monument is a stone column with a metal obelisk on top; together they stand approximately ten feet tall. This marker is a replica of one built twice before and originally meant to denote where a cabin once stood nearby that local legend alleges may have been inhabited seasonally by Daniel Boone in the late eighteenth century. There is a circular cement platform around this monument with benches denoting the name of the park. No known significant archaeological features are known to be on the property at this time.

The integrity of the association between this property and the Rivers family is undivided and uninterrupted during the significance and more broadly during their lifetimes until the property was transferred to the Town of Boone for its protection in the late 1990s. The home itself has never been moved and is still associated with much of the original acreage the Rivers

¹Eric W. Plaag, et al, "Comprehensive Architectural Survey of Downtown Boone, North Carolina." (Boone, NC, February 2021) 97-104. <https://dcr.lib.unc.edu/record/>

family would have enjoyed while residing at the property. The addition of the two car garage before 1940 denotes the affluence of the owners of the home, both Clays and Riverses, in the early to middle twentieth century. In approximately the 1970s, the alteration of the south porch from an open to an enclosed porch occurred. While the materials used do not match the stone work of the rest of the house, these changes were made by the Rivers family and are relatively minor to the tertiary elevation of the house, so these changes do not detract from the property's significance in relation to the family or its integrity. The materials of the home's exterior siding are original and in good condition, the roof was replaced recently on both the house and the garage. The materials selected during repairs and replacement generally match the appearance of the original materials. The aluminum storm windows are not original to the home and are in fair condition to protect the original windows that are still in place. As the home has remained largely unchanged, excepting the south porch, there is little that detracts from the integrity of the home and the garage.

The proposed boundaries of the designation follow the surveyed boundaries for all parcels, 2900-69-9070-000, 2900-78-3934-000, and 2900-79-0308-000.² These parcels include the house, the garage, the Daniel Boone Monument/Rivers Park, and "Baby," the North Carolina state champion sugar maple.³ The combined acreage for the area designated amounts to 9.54 acres of the original 13 to 15 acres associated with the home under the Riverses' ownership.

While this does not include all of the property that was once associated with the home, it does include all pertinent buildings associated with the home and its human inhabitants. The surrounding parcels that are proposed provide context for those who lived in the home during its historically significant period in the mid twentieth century. It includes the house, the garage, and the drive directly in front of the home and walkways, along with the stone walls closest to the home. It also includes land along the ridgeline and a small hollow that was once used to allow horses to graze. The prize winning Sugar Maple, "Baby," is also included in this designation along with Rivers Park and its monument.

² Book of Records 980 Page 289, Book 553 Page 297, and Book 553 Page 297. Originally recorded in Book 272 Page 579.

³ Book of Records 480 Page 496-498.

IV. Historical Background and Context

Completed in 1933, this native stone house was originally constructed for Robert Luther “R.L.” Clay (1889-1945), by a prominent local Black brickmason, John L. Hickerson (ca. 1889-1938).⁴ Hickerson was considered “renowned for his masonry work throughout Boone in the 1920s and 1930s.”⁵ A single family dwelling built of native stone by a local Black man was not usually notable in North Carolina at the time, as there were many non-white laborers engaged in building trades throughout the state during the early twentieth century. Hickerson in particular was the only Black brickmason listed in the 1930 US Census for Watauga County, North Carolina.⁶ His listed trade suggests that he possessed a unique set of skills among his Black peers for the time period. Hickerson was noted in the local press for his quality of work in and around Watauga County, and for leading his own team of laborers, indicating that he would have been in high demand by those who could afford to create such homes. The men whom Hickerson led in Boone erected “almost all the newer brick structures of the town,” by 1938.⁷ In June of 1934, a year after Hickerson completed the R. L. Clay House, “Mr. Ed Luttrell of Shulls Mills [was] erecting a nine-room stone dwelling... J. L. Hickerson [was] taking care of the masonry.”

Hickerson was married to Sallie Shearer Hickerson and had no children. Hickerson had lived in Boone since approximately 1921, having originated in Yadkin Valley. Hartzog was a former teacher turned contractor, teaching as late as 1917, probably retiring in the early 1920s and contracting as early as 1923.⁸ In 1921, he was called “one of Watauga’s best mechanics,” by the *Watauga Democrat*.⁹ Hickerson may have been on one of the first crews Hartzog undertook, having been in town for about two years by 1923. This would allow him several years to hone his skills and become well known in the region by 1933. Hartzog was also the city’s Postmaster from 1934 until at least 1941.¹⁰ This would mean he was a local contractor with stone masons at the time the WPA native-stone Post Office was constructed on King Street in the late 1930s.

⁴ “Real Estate Trade Active: Many Building Projects,” *Watauga Democrat* (Boone, NC), Jun. 29, 1933.

<https://newspapers.digitalnc.org/lccn/>

“Local Affairs” *Watauga Democrat* (Boone, NC), June 1, 1933. Page 5. <https://newspapers.digitalnc.org/lccn/>

“John Hickerson Dies on Sunday,” *Watauga Democrat*, October 13, 1938: 1.

⁵ Plagg, Dr. Eric W.; Fuller, Paul; Holladay, Nicole; Hamilton, Carson. “Comprehensive Architectural Survey of Downtown Boone, North Carolina.” (PDF, Boone, NC, February 2021.) Pg 50.

⁶ “Watauga County, North Carolina,” *1930 United States Federal Census* [database online], (Provo, UT: Ancestry.com Operations.com, 2002).

⁷ “John Hickerson Dies on Sunday” *Watauga Democrat* (Boone, NC), October 13, 1938.

<https://newspapers.digitalnc.org/lccn/>

⁸ “Mr. and Mrs. Hartzog Entertain Former Pupils” *Watauga Democrat* (Boone, NC) May 8, 1924. Page 3.

<https://newspapers.digitalnc.org/lccn/sn82007642/>

“Local Affairs” *Watauga Democrat* (Boone, NC) November, 1923. <https://newspapers.digitalnc.org/lccn/sn82007642>

⁹ “Furniture Factory For Boone” *Watauga Democrat* (Boone, NC) January 13, 1921. Page 3.

<https://newspapers.digitalnc.org/lccn/sn82007642>

¹⁰ “Doughton Asks that Hartzog be Postmaster” *Watauga Democrat* (Boone, NC) May 24, 1934.

<https://newspapers.digitalnc.org/lccn/>

“Christmas Seals Now Being Used” *Watauga Democrat* (Boone, NC) November 27, 1941.

<https://newspapers.digitalnc.org/lccn/>

The R. L. Clay home was built of native stone, a material that was not considered readily available in Boone at the time of construction, especially during the early 1930s. Private homes constructed of this material were few in number in the community. Other stone buildings in the town were not of cut stone, but of stacked fieldstone in mortar or roughly cut fieldstone. Two such Boone buildings were the Advent Christian Church, built c.1920, and the original Linney Law Office, built c.1922.¹¹ Other stone buildings in the area were single-family dwellings made of native stone that became more popular after the mid 1930s. Among these were a handful of summer cottages built in Blowing Rock and Ben Smith's Bungalow built near Appalachian State Teachers Cottage in 1927.¹²

In the summer of 1934, there were single-family stone dwellings being built in the Boone area for Professor J.A. Williams near Appalachian State campus, Mr. R.T. Greer on Boone Trail Highway (now Highway 421), J.E. Holhouser in Daniel Boone Park, Owen Wilson on the western end of King Street, and H.L. Lyons near the Lovill House.¹³ Institutional building schemes also occasionally incorporated stone construction, such as the 1928 project to build several cottages at the Grandfather Orphans' Home in Banner Elk, in adjacent Avery County.¹⁴ Another stone building noted around the time of the R. L. Clay House construction was a four-story native-stone hospital built in Banner Elk in 1930, built by the same people who constructed stone buildings on the Lees McRae campus in 1926.¹⁵ These institutional projects were outside of the county and the only large buildings of stone noted by the *Watauga Democrat* before the 1930s.

Other native stone buildings that were part of a Historic Property Survey for Boone, completed in 2008, that were constructed around the time of the R. L. Clay House and made of native stone as follows. In the late 1920s the Bushnell Cabin was built at what is now 211 Leah Drive in a neighborhood just north of downtown Boone. The stone in this residence is noted as having been from a quarry on nearby Highway 105. This residence was built by Ben L. Smith and does not rival the R.L. Clay House in size or architectural sophistication as this residence is an architecturally simplistic single-family home in comparison to the more grand R.L. Clay House.¹⁶ Another stone house in Boone that does not rival the R. L. Clay House in size or quality would be the Ruby Lanier House, found at what is now 235 Orchard St. This house is a single story cottage/bungalow styled home. This house was built around the 1930s, with no clear architect or mason listed. The brick is not believed to be native.¹⁷ Another stone home built around 1930 is the Howard Miller House, found at what is now 150 Delmar St. The survey on

¹¹ "Boone Historic Property Survey" (PDF, Boone, NC, 2008), Pages 89, 95..

¹² "Blowing Rock in Brief," *Watauga Democrat*, May 1, 1913: 2; and "The Tattler," *Watauga Democrat*, July 7, 1927: 5.

¹³ "Much Building Now Going on in County" *Watauga Democrat* (Boone, NC), June 14, 1934. <https://newspapers.digitalnc.org/lccn/>

¹⁴ "Banner Elk News," *Watauga Democrat*, July 19, 1928: 1.

¹⁵ "New Hospital at Banner Elk is Near Completion" *Watauga Democrat* (Boone, NC), July 24, 1930. <https://newspapers.digitalnc.org/lccn/>

¹⁶ "Boone Historic Property Survey" (PDF, Boone, NC, 2008), Pages 17-18.

¹⁷ Ibid. Pages 61-62 of 144.

this home lists no significant mason. This home is smaller than the Clay House, and the exterior has altered features such as aluminum siding covering original woodwork and stucco, decreasing the historical integrity of the structure.¹⁸ The James E. Holshouser Sr. House, located at what is now 221 Orchard Street, was built in 1934. This is the house that was constructed nearest to the Clay House. This house has stone from a quarry in nearby Shulls Mill, this stone is not cut to provide a flat exterior, instead left rounded to provide a different appearance as seen at the Clay House. While this house may rival the Clay House in its size and quality, the style of this home is Gothic in nature. An Ernest Banner was supposedly the mason for this home.¹⁹ The W. Ralph Winkler House, built in 1936, is also constructed of stone, though not noted as native stone. This house can be found at 851 Blowing Rock Rd, and has been modified from a residential space to a dentistry office with apartments above it. Alterations include additions to the structure, the enclosure of one open porch, and unknown extensive interior remodels. Midas Wheeler is listed as the mason in charge, not Hickerson.²⁰ That same year the W.F. Miller House was built, Midas Wheeler is noted as the mason for this home, this home can be found what is now 243 Cherry Drive. While the cut stone is believed to be local to the area and this exterior can be compared to the Clay House, the original footprint of this home was smaller. After additions to this house in the late 20th century, the integrity of this home does not compare to that of the Clay House.²¹ In 1937 a stone house was built for Guy Hunt, found at what is now 286 Orchard Street. The rock work on this home is believed to be done by the Lyons brothers. This house does rival the Clay House in size due to additions to this structure over the years, and the floorplan has been altered.²² In approximately 1938, the Herman W. Wilcox Home was built. This home can be found at what is now 110 Wallace Circle. This stone home has been altered and expanded several times over the years, causing its integrity to decrease to be significantly less than that of the Clay House.²³

It was not until after the Works Progress Administration that native stone buildings became more popular in Boone, four schools being completed in 1937, and at least six other buildings being built between 1938 and 1939.²⁴ Stone buildings were considered “not only durable but absolutely fire-proof.”²⁵ Institutional buildings such as the Post Office, school buildings, and faculty homes, were of stone construction, indicating a ready supply and relatively easy access to the material in large quantities in the later 1930s after government programs allowed for massive mining of stone for buildings. Single family homes constructed of native

¹⁸ Ibid. Pages 84-85 of 144.

¹⁹ Ibid. Pages 59-60 of 144.

²⁰ Ibid. Page 9 of 144.

²¹ Ibid. Page 75-76 of 144.

²² Ibid. Pages 67-68 of 144.

²³ Ibid. Pages 69-70 of 144.

²⁴ “Ellerbe Lauds School Projects” *Watauga Democrat* (Boone, NC) October 26, 1936.

<https://newspapers.digitalnc.org/lccn/>

“\$26,000 Alloted to Local College” *Watauga Democrat* (Boone, NC) February 24, 1938.

<https://newspapers.digitalnc.org/lccn/>

²⁵ “Lees McRae Institute Opening at Banner Elk” *Watauga Democrat* (Boone, NC) September 16, 1926.

<https://newspapers.digitalnc.org/lccn/>

stone that once stood on Rivers Street, less than a mile east of the Clay House, were constructed for faculty of Appalachian State Teachers College, now Appalachian State University, in 1938.²⁶ All of those homes were moved or destroyed when Rivers Street was widened in the mid 1960s, decreasing and otherwise destroying their architectural integrity.

Local lore has spread the belief that these stone buildings, constructed in the early 1930s to the mid 1940s were made using the stone moved to create the nearby Blue Ridge Parkway. Construction on the Parkway began in 1938, years after the construction of many of these buildings. The portion of the Blue Ridge Parkway nearby to Boone did not begin construction until years later and was not completed until the mid-1980s. The stone native to the Blue Ridge Mountains are not always those found in the homes either. Nevertheless, the belief that these stone homes were built using stone from the construction of the scenic route persists.

In the 2021 Downtown Boone Survey there were several native stone buildings listed, all commercial buildings except for the Clay House. The Cook-Nichols Motor Company building, which eventually burned in the 1950s, and the Duncan Motor Company building were both completed in 1940.²⁷ The Boone Bus Depot was also a building that was a product of W.G. Hartzog's men. The native stone facade, completed in 1947, is now a shell that stands alone along the edge of an Appalachian State University building.²⁸ Native stone is noted around downtown Boone, mostly in retaining walls, sheds, and steps that lead to houses that no longer stand.

²⁶ "Faculty Homes are Completed" *Watauga Democrat* (Boone, NC) October 20, 1938.
<https://newspapers.digitalnc.org/lccn/>

²⁷ Plagg, Dr. Eric W.; Fuller, Paul; Holladay, Nicole; Hamilton, Carson. "Comprehensive Architectural Survey of Downtown Boone, North Carolina." (PDF, Boone, NC, February 2021.) Pg 59.

²⁸ Plagg, Dr. Eric W.; Fuller, Paul; Holladay, Nicole; Hamilton, Carson. "Comprehensive Architectural Survey of Downtown Boone, North Carolina." (PDF, Boone, NC, February 2021.) Pg 64.

V. Historical Context

R.L. Clay, for whom the home was originally built in 1933, was a native of Avery County, having moved to Watauga County after the Linville River Railway was built in the late 1910s.²⁹ He worked at the Shulls Mill station as an agent until he moved to Boone in the 1920s where he remained working with the railway. The Clay's did have a home in Boone before the native stone house was built, as there are reports of Mrs. Clay entertaining the Friday Afternoon Club in her home in May of 1931.³⁰ This original home was a simple wooden farm house that was a common place construction in the early twentieth century in Boone. The home was moved in order to make space for the native stone building, and was rented out for many years. The home was, unfortunately, destroyed by the Town of Boone in a fire exercise in 2015.³¹

In 1933 Clay, his wife, Annie Stanbury, and daughters would move to Greensboro so Clay could work with the Internal Revenue Department, now known as the Internal Revenue Service (IRS). As this move happened, the stone house was being completed by a local Black brickmason, John L. Hickerson (c1889-1938).³²

The home was maintained as a summer and weekend residence for the family. Mrs. Clay would entertain in the home regularly while she and her daughters were in town based on multiple articles regarding the Friday Afternoon Club.³³ In 1943, Clay was promoted to the Field Division Chief in the Greensboro office of the IRS. When Clay was in residence in Boone he was an active Free Mason and Shriner. He was a member of the Boone Methodist Church, where he served as the Sunday school superintendent for two years and as steward for many more. While in Greensboro, Clay was a member of the West Market Street Methodist Church.³⁴

In early 1945, Clay fell ill and passed away after complications following an appendix operation at 55 years old.³⁵ After Clay passed his family remained in Greensboro and the Boone home was sold to local newspaper owner and editor, Robert Campbell "R.C." Rivers Jr. (1899-1975) and his wife Bonnie Jean Lewis (1910-1991). R.C. Rivers Jr. had come to be the editor and publisher of the *Watauga Democrat* and the owner of Rivers Publishing by this time,

²⁹ "Brief Illness Proves Fatal to R. Luther Clay," *Watauga Democrat* (Boone, NC), Mar. 29, 1945.

<https://newspapers.digitalnc.org/lccn/>

³⁰ "Friday Afternoon Club with Mrs. R.L. Clay," *Watauga Democrat* (Boone, NC), May 21, 1931.

<https://newspapers.digitalnc.org/lccn/>

³¹ "Local Affairs" *Watauga Democrat* (Boone, NC), June 1, 1933. Page 5. <https://newspapers.digitalnc.org/lccn/> Plagg, Dr. Eric W.; Fuller, Paul; Holladay, Nicole; Hamilton, Carson. "Comprehensive Architectural Survey of Downtown Boone, North Carolina." (PDF, Boone, NC, February 2021.) Pg 97.

³² "Brief Illness Proves Fatal to R. Luther Clay," *Watauga Democrat* (Boone, NC), Mar. 29, 1945.

<https://newspapers.digitalnc.org/lccn/>

Plagg, Dr. Eric W.; Fuller, Paul; Holladay, Nicole; Hamilton, Carson. "Comprehensive Architectural Survey of Downtown Boone, North Carolina." (PDF, Boone, NC, February 2021.) Pg 50.

³³ "Alice Stransbury Taylor Circle Holds Meeting," *Watauga Democrat* (Boone, NC), July 4, 1935 Page 5.

<https://newspapers.digitalnc.org/lccn/>

³⁴ "Brief Illness Proves Fatal to R. Luther Clay," *Watauga Democrat* (Boone, NC), Mar. 29, 1945.

<https://newspapers.digitalnc.org/lccn/>

³⁵ "Brief Illness Proves Fatal to R. Luther Clay," *Watauga Democrat* (Boone, NC), Mar. 29, 1945.

<https://newspapers.digitalnc.org/lccn/>

having inherited the company from his father in 1933. The deed transferring the property from the Clay family to the River family has proven very difficult to find as most deeds in the area, and at the time, list large tracts with multiple holders, not denoting structures on the properties.

R.C. Rivers Jr. had inherited the *Watauga Democrat* from his father, R.C. Rivers Sr. (1861-1933) upon the elder's passing in 1933. R.C. Rivers Sr. was born in 1861 in Tennessee. He moved to Boone at some point, marrying Sarah Locke "Sallie" Journey (1861-1924) in 1892, after which they had 3 children, R.C. Jr. being the eldest surviving son. Rivers Sr. purchased the *Watauga Democrat*, the local paper that had flopped after the first fall edition, from Joseph Spainhour and John S. Williams in 1889. Rivers Sr. initially purchased the paper with D.B. Doughtry but bought out his partner by the end of 1889. He continued to print the paper and run this business until his death in 1933.³⁶

Having lived in the apartment above the brick print shop located at what is today 747 W King Street since its construction in 1937, R.C. Rivers Jr. and wife Bonnie Jean Rivers, and their children, could relocate down the street and still be close to the business.³⁷ That building has since been changed dramatically since its time as a printer to better fit the restaurant that now occupies the lower level. The Rivers family had a daughter, Lucinda Jane Rivers (1935-2017) before moving into the stone home. There were two children born to Bonnie Jean and R.C. Jr between 1939 and 1940 that were unnamed and would not survive infancy.³⁸ They would go on to have one more surviving child in 1943, Rachel Ann Rivers (1943-1999). She was born at the Hagaman Clinic that was once on King Street in downtown Boone. The Riverses kept horses in the acreage to the west of their home, an area that once covered at least 13 acres. Rachel Rivers was known as an able equestrian from a very young age. She wrote her first piece for the *Watauga Democrat* at 11 years old.³⁹

Circa mid 1940s, a separate two-car garage with upstairs storage space was added south-east of the home and made to resemble the stone work of the home.⁴⁰ This garage may have been built along with the house, as the stone work is identical but there is no recorded mention of its construction at or after the construction of the house. The Rivers family kept a housekeeper from Beaver Dam, a white woman named Mabel Moody Mixon (1926-2013), in their employ for 18 years while living in the stone home.⁴¹ This was probably between 1945 and 1965. Mrs. Rivers held a full time job on the *Watauga Democrat*, performing several jobs, while raising her two children and maintaining the household, so this could have led to her employing someone within the home.

³⁶ "History of The Watauga Democrat" *Watauga Democrat* (Boone, NC), Jan 3, 2012, Updated August 11, 2014.

<https://www.wataugademocrat.com/aboutus/history-of-the-watauga-democrat/article>

³⁷ "Hands Across the State," *Watauga Democrat* (Boone, NC), Jul. 21, 1938. <https://newspapers.digitalnc.org/lccn/>

³⁸ Book of Vital Records 26 page 190-191 and Book of Vital Records 27 page 222.

³⁹ Brad Hodges. "Former newspaper publisher dies after falling from horse: Rachel Rivers-Coffey was long-time county civic leader," *Watauga Democrat* (Boone, NC), August 25, 1999.

⁴⁰ Palmer Blair, "Aerial View of Boone from the East, 1950," *Digital Watauga*, accessed January 15, 2023, <https://digitalwatauga.org/items/show/6032>.

⁴¹ Brad Hodges. "The Page Turns," *Watauga Democrat*, (Boone, NC) August 27, 1999.

Rivers Publishing Company purchased the *Blowing Rocket* in 1956, a paper publishing seasonal reporting from Blowing Rock since 1936. The *Rocket* began being printed weekly under Rivers Jr. Rachel Rivers would go out of state to gain a college degree in journalism, working for the *Watauga Democrat* upon her return.

Rachel Rivers married Paul Armfield Coffey in 1965.⁴² Both worked for the paper before their marriage, Rachel Rivers having been a photographer, writer, and editor, while Coffey was a journalist and photographer. After their marriage Rivers-Coffey and Coffey continued to work at the *Watauga Democrat* and provide news to their community. Rivers Publishing Company purchased the *Avery Journal* and began printing it in 1972, expanding the empire outside of Watauga County. R.C. Rivers Jr. passed away from colon cancer, having lived with the disease for two years, in 1975.⁴³ Upon his death the *Watauga Democrat* and Rivers Publishing Company was inherited by Rivers-Coffey and her husband.

The house and land itself was under the ownership of Bonnie Jean Lewis Rivers after the death of her husband, Rivers Jr. She held the property, and is assumed to have lived there, until her death in 1991.⁴⁴ Upon the death of her mother, Rachel Rivers-Coffey acquired the land and would hold it for only a few years until she sold it to the Town of Boone in October 1998. During this time Rivers-Coffey and her husband ran the paper until 1994 when they sold it to the owners of the *Bristol Herald-Courier*, who then sold it to Art and Fran Powers a few years later. At this point the group of publications was titled the Watauga Newspapers Group. Jones Media then bought all the papers in 2002. This group still runs the *Watauga Democrat*, *Avery Journal*, *Blowing Rocket*, and other local publications such as the *Mountain Times*.⁴⁵

As a condition of selling the home to the Town of Boone, Rivers-Coffey and Coffey included restrictions to the property and its future use by the Town of Boone. Jim Butler, who resided in the home, was allowed a life-estate as well. He passed in 2011, leaving the home empty as it sits today. The restrictions placed on the property are as follows; “The Grantor covenants with the Grantee that the Grantor is seized of the premises in fee simple, and has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances other than those exceptions set forth below, and that the Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated... 1. Recreational purposes. 2. Green space. 3. The installation of utility lines, provided however, that all lines must be installed underground, and in such a way so as to cause a minimum disturbance to the natural environment. 4. Flood mitigation. 5. A wildlife sanctuary. [And] 6. Historical purposes.”⁴⁶

Six parcels historically associated with the home surround the current parcel it stands on. The smaller parcel to the southeast (2900-78-3881-000) was donated to the Town of Boone by

⁴² Book of Vital Records 1965, pg 889.

⁴³“Publisher R.C. River Jr. Dies; End brought to Unique Career” *Watauga Democrat* (Boone, NC) April 24, 1975.

⁴⁴ Book of Records 272 Pages 585-597. Will executed December 23, 1993.

⁴⁵“History of The Watauga Democrat” *Watauga Democrat* (Boone, NC), Jan 3, 2012, Updated August 11, 2014. <https://www.wataugademocrat.com/aboutus/history-of-the-watauga-democrat/article>

⁴⁶ Record Book 280 Page 292, October 29, 1998.

Paul Armfield Coffey in 2004. This parcel originally contained the small frame house that appears to have been the original R.L. Clay House that previously stood on the 1933 Clay House site, but was moved in late 1932 to make way for construction of the newer stone building.⁴⁷ This house was burned and then demolished by the Town of Boone on May 30, 2015 as part of a firefighting training exercise after attempts to sell or relocate the house failed. The second parcel (2900-69-9070-000) is located to the north, west, and south of the house and contains what was once the horse pasture for Rachel Rivers-Coffey's horses; this parcel is approximately 8 acres and is also owned by the Town of Boone. This parcel, or the one slightly to the north-west, (2900-79-0308-000) contains "Baby" a sugar maple that is on the North Carolina Register of Big Trees. There is a wrought iron fence surrounding the giant tree and a large plaque on the southwest fence that states the title of North Carolina Champion Big Tree is held by the maple. On this same parcel the reconstructed Daniel Boone Monument (WT0567) stands in the northeast corner. This monument was reconstructed for a second time at this location in the early 2000s. Three additional adjacent parcels to the northwest, along Poplar Grove Road, owned by the Town of Boone were donated by Paul Armfield Coffey with deed restrictions similar to those attached to the home. One parcel (2900-69-4353-000) donated by Paul Armfield Coffey is accessible via West Grandview Heights and no longer adjoining to the largest parcel (the .79 acre plot is privately owned) it's still adjacent to parcel 2900-69-6458-000. The house was surveyed in 1988, 2005, and 2021 as part of National Register Nominations regarding Downtown Boone.

⁴⁷ "Local Affairs" *Watauga Democrat*. (Boone, NC.) June 1, 1933. Page 5. <https://newspapers.digitalnc.org/lccn/>

VI. Assessment

The Clay/Rivers House is associated with both Robert Campbell (R.C.) Rivers Jr. and Rachel Rivers-Coffey. These two individuals were part of the Rivers Publishing Company that published the only newspaper in Boone, the *Watauga Democrat*. Between these individuals, they ran the paper for 61 years between 1933-1994 not including the time that they worked under others for the *Watauga Democrat* before and after that time period. Rivers Jr. was responsible for the growth of the paper outside of Boone city limits, acquiring both the *Blowing Rocket* and the *Avery Journal*. He took the *Watauga Democrat* from an eight page weekly publication to one that averaged forty pages twice a week. He was a member of the Board of Directors of Northwestern Bank of Boone, Vice President of the Watauga Savings and Loan association until 1974, a member of the Board of Directors of the North Carolina Press Association, and director of the Journalism Foundation at UNC Chapel Hill. He served as a delegate to the National Democratic Conventions of 1944, 1952, 1956, and 1960, known as one of the Dirty Dozen who stood for the nomination of later president Jack Kennedy. His comments on the assassination of Kennedy were published in the *Watauga Democrat* and entered into the Congressional Record by Senator Sam Ervin.⁴⁸

Rachel Rivers-Coffey is responsible for the preservation of the Town of Boone Cemetery and consolidating the historically Black and white sections of the cemetery. Rivers-Coffey helped found the Watauga Humane Society in 1969 along with future mayor Velma Burnley. She was a member of the Watauga County Hospital Board and its Foundation Board, Rivers-Coffey was on the board of Historic Boone and the Watauga County Foundation. She was a member of the Save Cape Hatteras Lighthouse Committee. Rivers-Coffey helped propel the Doc and Merle Watson Mountain Folk Art Museum in Cove Creek, which opened in early 1999. She was involved with launching the first Firefly Festival in Boone through a contest in the Southern Farmers Almanac. Rivers-Coffey was president of the North Carolina Press Association in 1994 and 1995. She published two books, *The City Man* and *A Horse Like Mr. Ragman*. Rivers-Coffey and her family had agreed to sponsor a professorship in creative writing at nearby Appalachian State University in the months before her untimely death. She is also responsible for the continued existence and preservation of the Clay/Rivers House, having donated the home to the Town of Boone in 1998.⁴⁹

Rivers Jr. raised his family in the home while managing and expanding the *Watauga Democrat* and Rivers Publishing Company, Rivers-Coffey was born into the home, was raised here, and held the property in high regard, ensuring its preservation after her ownership. She worked at, inherited, and continued to publish the *Watauga Democrat* until she sold the

⁴⁸ "Publisher R.C. River Jr. Dies; End brought to Unique Career" *Watauga Democrat* (Boone, NC) April 24, 1975.

⁴⁹ Brad Hodges. "Former newspaper publisher dies after falling from horse: Rachel Rivers-Coffey was long-time county civic leader," *Watauga Democrat* (Boone, NC), August 25, 1999.

Brad Hodges. "The Page Turns," *Watauga Democrat*, (Boone, NC) August 27, 1999.

publication. The *Watauga Democrat* is the oldest business in Watauga County under continuous operation.⁵⁰

The house itself remains intact and largely unchanged since its construction in c.1933. The integrity of the mason work and the structure itself are exemplary when compared to other stone structures from the period of significance in downtown Boone. Even the interior floor plan appears to be unchanged from the original design. The quality of construction and maintenance on the building thus far has led to its remaining high integrity 90 years after its construction.

VII. Supporting documentation

- A. Digital photographs in [drive](#) along with floor plan.
- B. A site plan: Found in the above drive.

⁵⁰ Brad Hodges. "Former newspaper publisher dies after falling from horse: Rachel Rivers-Coffey was long-time county civic leader," *Watauga Democrat* (Boone, NC), August 25, 1999.

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Town of Boone Planning and Inspections Department

Memorandum

To: Historic Preservation Commission

From: Jessica Mitchell

Date: 5/30/2023

Subject: Thin-Set Brick Material Use in the Historic District, State Historic Preservation Office Email Response – Further Discussion of Substitute Materials in the Historic District

This memo includes email correspondence regarding the use of thin-set brick material in the historic district, specifically using thin-set brick with pre-cast concrete panels.

Jennifer Cathey, SHPO Restoration Specialist, was contacted after the conclusion of a case regarding this specific material asking for advice.

This email correspondence can also be used to discuss further the use of substitute materials in the historic district and any possible changes to Appendix D.

Staff would like to remind the HPC that Town Council must also be made aware of possible text changes to Appendix D regarding this topic.

Jessica Mitchell - EXTERNAL EMAIL - Re: Thin-Set Brick Wall System with Pre-Cast Concrete Panels, aka "Sticky Brick"

From: "Cathey, Jennifer" <jennifer.cathey@ncdcr.gov>
To: Eric Plaag <ericplaag@gmail.com>
Date: 5/15/2023 6:36 PM
Subject: EXTERNAL EMAIL - Re: Thin-Set Brick Wall System with Pre-Cast Concrete Panels, aka "Sticky Brick"
Cc: "Allison Meade, Meade Law PLLC" <ameade@meade-law.com>, Jessica Mitchell...

Hi Eric: Sorry to take a bit to respond. I participated in a UNCG preservation field school day last week, and also had some elder care responsibilities that took me away from the office.

Evaluation of non-traditional, substitute construction materials is a tricky issue. NPS, in their published guidance for SOI Standards and for the historic rehab tax credit program, is usually pretty careful to *not* ID or approve specific substitute materials, such as thinset brick veneer. That's deliberate, as specific products and product lines come and go, and quality varies. Rather, in all their guidance for substitute materials on historic buildings or in historic settings, NPS will cite the relevant SOI Standards and encourage an evaluation approach that promotes durable construction, and look and feel that is visually compatible and behaves well with surrounding traditional materials. So while we probably can't get a seal of approval for a specific material and product from NPS, we can cast a net to learn about instances where a product or material was evaluated as being SOI compliant, or compliant with an HPC's design standards, in order to learn from similar scenarios.

You have already ID'd instances in which commissions have prohibited brick veneer materials within their design standards documents—you might reach out to them to learn about their experience with the material, and allow them to articulate how the material is or is not considered compatible/compliant. I think your fellow commissions are more likely to have had the issue come up, as they are probably more frequently dealing with new construction in historic districts than my HPO and NPS counterparts doing Section 106 and Historic Rehab Tax credit review. (So much of the NPS guidance is more about use of substitute materials on *existing* historic buildings, rather than in new construction/infill.) I recommend that you or a Boone staffer make query to the NCPres Listserve. Some communities that participate in that Listserve have commissions that have been operating for a couple decades, and staff that are really seasoned, tried by fire (so to speak). Kristy Brantley can tell you how to get connected to that Listserve, if needed. Be specific in any query—building type and location, nature of the historic district setting, proposed use of veneer (full building, foundation level, etc.) Likewise, National Alliance of Preservation Commissions publications and conference sessions will sometimes tackle the substitute material issue -- their website, newsletters, and conferences are very good and specific to HPC work. And it would be a great topic of discussion at future state or regional commission trainings.

I will pose the question to my restoration branch colleagues, and will share if they have experience with the material.

I've encountered the issue of evaluating thin-set brick veneer just once in my HPO tenure. SOI Standards were applicable because some federal funding was being put towards proposed movie theater construction inside a National Register Historic District. (No HPC design standards were at play.) The site sat between a traditional DT commercial corridor and a textile mill complex characterized by large

manufacturing and warehouse-type buildings. So, the bulk of a modern movie theater sitting behind a traditional DT corridor could be considered compatible with the mill buildings and warehouses. A combination of thin-set brick veneer and synthetic stucco was proposed. I asked for product samples in order to evaluate if color, texture, nature of mortar lines, etc. was convincing and comparable to existing masonry in the area. I also advocated for detailed plans indicating the extent and the detailing of all stucco and veneer, in order to evaluate if all the claddings would have the look and feel of traditional building materials, and thus be congruent with the downtown. And with that, the development foundered, without full and intensive review of the plans. Other infill plans I've reviewed have been traditional brick masonry.

This issue really touches upon the broader issue of newer, non-traditional construction methods and materials inside historic districts. Can new construction be "of its time" (aka non-traditional materials or structural systems) and otherwise still be compatible (size, massing, scale, setback, roofline) with the historic district? I think that with time and experience with COA review, your commission might gel as one that is tolerant of newer construction methods and materials as being "of their time," or may instead develop a harder line requiring more traditional claddings as compatible and congruent with their surroundings.

Hope this helps—J.

Jennifer Cathey

Restoration Specialist

North Carolina State Historic Preservation Office

Office: [828.250.3113](tel:828.250.3113)

jennifer.cathey@ncdcr.gov

NCDNCR Western Office, 176 Riceville Road, Asheville, NC 28805

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From: Eric Plaag <ericplaag@gmail.com>

Sent: Tuesday, May 9, 2023 6:38 PM

To: Cathey, Jennifer <jennifer.cathey@ncdcr.gov>

Cc: Allison Meade, Meade Law PLLC <ameade@meade-law.com>; Jessica Mitchell <Jessica.Mitchell@townofboone.net>; Christy Turner <Christy.Turner@townofboone.net>; Jane Shook <jane.shook@townofboone.net>

Subject: [External] Thin-Set Brick Wall System with Pre-Cast Concrete Panels, aka "Sticky Brick"

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Hi Jennifer,

The Boone HPC heard and decided a quasi-judicial case today involving a request to substitute a thin-set brick wall system using pre-cast concrete panels in place of a true brick veneer cavity wall system that had previously been approved for the project, which is new construction in the Downtown Boone HD. In deciding the case, the HPC voted 3-2 for a finding of fact that "sticky

brick" in the proposed project IS "a contemporary substitute material used in place of traditional materials" (the use of which our standard 14.2 says is "NOT appropriate" in new construction), but on the actual motion to approve the use of "sticky brick," the HPC voted 4-1 in favor.

Prior to the case, I tried to find information about whether NPS has taken a position on thin-set brick wall systems mounted on pre-cast concrete panels as a substitute material for more traditional true brick veneer cavity wall systems in new construction in HDs, but the interwebs did not yield anything. I do see that Charlottesville, VA, and Georgetown, TX, have both explicitly prohibited "sticky brick" in new construction in their HDs.

Can you offer any insights on NPS's position on this? I am prepared to suggest a revision to standard 14.2 that directly addresses this material depending on what guidance there might be at this point from NPS/SHPO.

Thanks,

Eric

Eric Plaag, PhD

Pronouns: He/Him/His

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Boone, NC 28607

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ericplaag@gmail.com

[https://link.edgepilot.com/s/79946f5f/I4JSgvu_okS1AQ4ITVgQjw?](https://link.edgepilot.com/s/79946f5f/I4JSgvu_okS1AQ4ITVgQjw?u=http://www.carolinahistorical.com/)

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Town of Boone

Planning and Inspections Department

Memorandum

To: Historic Preservation Commission

From: Jessica Mitchell

Date: 6/30/2023

Subject: HPC Members' Additional Information Regarding Appendix D Discussion and Structures (Shipping Containers) in the Historic District Discussion

Staff Comment

Staff received the attached email from Chair Plaag, with Member Watkins comments, to include in the July HPC Advisory meeting packet for the discussion regarding Appendix D revisions, taking into consideration the completed COA cases and the recent lessons learned.

The email includes comments and information specifically related to Appendix D revisions regarding additions or structures within the historic district, like shipping containers.

Chair Plaag Email Correspondence – Links to Resources

- Greenwich Village Example: [Big Plans for 372 Lafayette Street - Village Preservation](#)
- Austin, Texas Example: [Austin bar made entirely of shipping containers \(mysanantonio.com\)](#)
- Santa Fe, New Mexico Example: [Shipping Container Sets Sale | Santa Fe Reporter \(sfreporter.com\)](#)
- Silver City, New Mexico Example: [Town may delay shipping container ban – Silvercity Daily Press \(scdailypress.com\)](#)

Jessica Mitchell - EXTERNAL EMAIL - Fwd: Watkins/Containers

From: Eric Plaag <ericplaag@gmail.com>
To: Jessica Mitchell <Jessica.Mitchell@townofboone.net>
Date: 6/11/2023 6:30 PM
Subject: EXTERNAL EMAIL - Fwd: Watkins/Containers
Cc: Jane Shook <jane.shook@townofboone.net>, Christy Turner <Christy.Turner@...

Please share Chuck's email below and this email with other HPC members as appropriate, perhaps as part of our next advisory packet.

Please note that a project in Greenwich Village featuring stacked shipping containers was approved by the Landmarks Commission in 2006 (though never built):

[https://link.edgepilot.com/s/7ec676b2/Lb-d2hLHlkqBh_Q-9n1KyA?](https://link.edgepilot.com/s/7ec676b2/Lb-d2hLHlkqBh_Q-9n1KyA?u=https://www.villagepreservation.org/2011/08/09/big-plans-for-372-lafayette-street/)

[u=https://www.villagepreservation.org/2011/08/09/big-plans-for-372-lafayette-street/](https://www.villagepreservation.org/2011/08/09/big-plans-for-372-lafayette-street/). Austin, TX, also has a bar made of shipping containers in its Rainey Street Historic District:

[https://link.edgepilot.com/s/c3c6aa7c/Clz_WEkXkUyr8C0rGK6WsA?](https://link.edgepilot.com/s/c3c6aa7c/Clz_WEkXkUyr8C0rGK6WsA?u=https://www.mysanantonio.com/news/local/article/Austin-bar-made-entirely-of-shipping-containers-5675453.php)

[u=https://www.mysanantonio.com/news/local/article/Austin-bar-made-entirely-of-shipping-containers-5675453.php](https://www.mysanantonio.com/news/local/article/Austin-bar-made-entirely-of-shipping-containers-5675453.php). Other communities are struggling with how to handle them in their historic districts:

[https://link.edgepilot.com/s/9829cfdc/zSbltK14gEus-Wc3-ZriIA?](https://link.edgepilot.com/s/9829cfdc/zSbltK14gEus-Wc3-ZriIA?u=https://www.sfreporter.com/news/2015/08/20/shipping-container-sets-sale/)

[u=https://www.sfreporter.com/news/2015/08/20/shipping-container-sets-sale/](https://www.sfreporter.com/news/2015/08/20/shipping-container-sets-sale/); Santa Fe apparently granted a hardship exception for one business owner in its downtown historic district. Silver City, NM, however, was struggling recently with this as well and taking a stricter approach:

[https://link.edgepilot.com/s/55503eac/X5s2UON4gk2P7llgIUIRog?](https://link.edgepilot.com/s/55503eac/X5s2UON4gk2P7llgIUIRog?u=https://www.scdailypress.com/2021/12/01/town-may-delay-shipping-container-ban/)

[u=https://www.scdailypress.com/2021/12/01/town-may-delay-shipping-container-ban/](https://www.scdailypress.com/2021/12/01/town-may-delay-shipping-container-ban/).

To me, it sounds like an area that we need to add to the list for discussion about a Standard that specifically addresses them.

EP

Eric Plaag, PhD

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From: **Charles Watkins** <chuck.a.watkins@gmail.com>

Date: Fri, Jun 9, 2023 at 5:18 PM

Subject: Watkins/Containers
To: Eric Plaag <ericplaag@gmail.com>

Eric,

I am writing to you in your capacity as Chair of the Boone Historic Preservation Commission with the intention that you circulate the note if there is a legal obligation to do so. I had a chat with the staff architect in Charleston's Planning Department and he informs me that there are no businesses operating out of containers in any of the city's historic districts. The confusion may be due to a rather well-known establishment, The Container Bar, which was opened by Bill Murray when he moved to the Holy City. That bar is, however, not located in any historic district. You may - or may not - know that Murray was quite the chum with a former art professor at Appalachian and "performed" at a football game here. Best wishes, Chuck Watkins

--

Sincerely,

Charles Alan (Chuck) Watkins

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