



# Historic Preservation Commission

## Regular Meeting

### ~ Agenda ~

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

Jane Shook  
828-268-6960

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Tuesday, August 1, 2023

3:00 PM

WebEx

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**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**

May 16, 2023 Quasi-Judicial Meeting Minutes

June 5, 2023 Quasi-Judicial Meeting Minutes

June 6, 2023 Advisory Meeting Minutes

**IV. Public Comment**

**V. HPC Advisory Art Review of The Sesquicentennial Monument**

Exhibit 1 - Cover Letter

Exhibit 2 - Monument Proposal

Exhibit 3 - Monument Proposal Site Plan

Exhibit 4 - Staff Acquired Historic Photos

**VI. Stoneman's Raid Interpretative Panel Draft Panel Text and Design**

**VII. Revisions of R.L. Clay (Rivers) House Local Landmark Designation Report**

Updated and Revised R.L. Clay (Rivers) House Local Landmark Designation Report

**VIII. Jones House Local Landmark Designation Report Update****IX. Scheduling Special HPC Meeting for Discussing Appendix D Revisions and Substitute Materials****X. Staff Updates**

*Update on the Boone Cemetery Interpretative Panels Project*

*R.L. Clay (Rivers) House Local Landmark Standards*

*Statement of Conformity (SOC) Monthly Report for July*

**XI. HPC Member Updates****XII. September Advisory Session Material****XIII. Other Discussion****XIV. Adjournment****WebEx Video Conferencing Information**

**WATCH OR PARTICIPATE IN THE MEETING:** Individuals who wish to give testimony/evidence with respect to this case may do so through WebEx, either online (by computer or smartphone) or telephone. To do so, please email: Jessica Mitchell, Long-Range/Special Projects Planner at [jessica.mitchell@townofboone.net](mailto: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 user 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  
MEETING MINUTES  
MAY 16, 2023, 11:00 a.m.  
WebEx Video Conferencing**

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**Historic Preservation Commission Members in Attendance:**

Chair Eric Plaag, Chuck Watkins, and James Sharp

**Student Member:** Riley Ziegler

**Town Staff in Attendance:** Jane Shook-Director of Planning & Inspections, Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner, Brandon Wise-Environmental Planner, and Marlene Crosby-Board Secretary

**Others in Attendance:** Chelsea Garrett- Attorney, Bill Dixon-Appalachian Architecture, Leigh Blevins-Appalachian Architecture, Aram Kevorkian-Applicant, Megan Kevorkian, Eric Kevorkian-Property Owner, William Brown, Seth K., and Allison Meade-Town Attorney

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**Call to Order**

Chair Eric Plaag called the HPC Quasi-Judicial meeting, held via WebEx, on May 16, 2023, to order at 11:01 a.m. He noted that this meeting was continued from May 9, 2023.

Chair Plaag introduced himself as the Chair of the Historic Preservation Commission, Member Chuck Watkins, Member James Sharp, and Student Member Riley Ziegler.

Chair Plaag introduced the Staff members as Ms. Jane Shook, Director of Planning & Inspections, Ms. Jessica Mitchell, Long-Range/Special Projects Planner, Ms. Christy Turner, Senior Planner, Mr. Brandon Wise, Environmental Planner, Ms. Marlene Crosby, Board Secretary, and Ms. Allison Meade, Town Attorney.

Chair Plaag told the HPC that he had two issues to discuss at the end of this meeting that might impact the June advisory and quasi-judicial meetings.

**CASE Z06553-032323 SOUTHEND BREWING CO. – ADDITION AND PATIO IMPROVEMENTS – COA**

Aram Kevorkian, on behalf of Edakco, LLC (Southend Brewing Co.), has filed an application for a Certificate of Appropriateness for Major Work for 747 W. King St. for an addition and patio improvements on the secondary elevation at the rear of the property. This property is located within the Downtown Boone Local Historic District. (Watauga County PINs 2900-79-8447-000, 2900-79-7377-000, 2900-79-8421-000, 2900-79-7368-000). The COA request includes patio improvements which consists of work to the existing deck and stairs, adding a second-level deck and corresponding emergency exits, installing pavers for a patio area, modifying an existing retaining wall, and screening for existing containers on site. The COA request also includes the addition of a storage container as a bar for the principal restaurant use.

This development would involve work on the secondary elevation of the property, according to the definitions included in the Town of Boone Unified Development Ordinance (UDO), Appendix D, Downtown Boone Local Historic District Design Standards and Handbook.

Chair Plaag swore in Ms. Shook, Ms. Mitchell, Ms. Turner, and Mr. Wise in case they were to give

testimony for this case.

Chair Plaag asked the Historic Preservation Commission members if any commissioner had a fixed opinion about the case that is not susceptible to change; had any commissioner had a conflict of interest regarding this case, including any financial interest in the outcome of the case or a close familial relationship with any person affected by the outcome of the case. There were no answers in the affirmative.

Chair Plaag asked if any commissioner had engaged in any undisclosed ex-parte communication regarding the application. There were no answers in the affirmative.

Chair Plaag confirmed that Mr. Chelsea Garrett, Attorney, was representing the applicant in this case. Chair Plaag asked Ms. Garrett if she had any objection to the information in the meeting packet; she had no objection to the information.

Chair Plaag asked Ms. Garrett if she would like to make an opening statement. She had a brief opening statement, and she had some points of clarification that she needed to consult with staff on.

Ms. Garrett pointed out that it was not the intention of the applicant to remove the wood seating area around the tree area that was installed by the prior owner, Mr. Henley. She believed the wood seating was not historic and not a part of the current request from the applicant. She clarified with Ms. Christy Turner, Senior Planner, that this topic has no bearing on this application. Ms. Turner responded that Mr. Brandon Wise, Environmental Planner, had looked at the tree. Mr. Wise stated that he reviewed and approved the removal of the tree with the understanding that it was not a historic tree. Ms. Garrett confirmed that Ms. Turner had stated that there was no historical concern with the removal of the tree.

Ms. Garrett asked Ms. Turner about some minor restorative grading that would be needed in the courtyard area. She felt the proposed grading was not the type of grading that would need to meet any of the requirements of Appendix D. Ms. Turner asked Mr. Wise to clarify what he understood about the proposed grading. Mr. Wise said the proposed grading plan that he reviewed showed minor grading to remove some gravel and level the area in the courtyard. He further clarified that the zoning approval for the proposed minor grading would be dependent on the HPC's approval of the Certificate of Appropriateness (COA) for the Addition and Patio Improvement. Ms. Garrett noted that there had been no change to the proposed plan that was been submitted to and reviewed by staff for the minor grading.

Chair Plaag asked Ms. Garrett if she was referring to Appendix D. Section 14.6 for the proposed grading. Ms. Garrett replied yes, Section 14.6 is what the proposed grading plan was based on. Chair Plaag read aloud the said section for the benefits of the HPC.

### **New Construction of Commercial Buildings within the District**

**Section 14.6** New construction should respect the existing topography and vegetation on the site. Large-scale grading to level or otherwise dramatically alters the natural slope of a lot is destructive to the historic landscape and is not appropriate. Whenever possible, existing trees and historic landscape features should be incorporated into the design for a new property. If large trees must be removed, they should be replaced with trees similar in type and species. During construction, any mature tree that will not be removed should be protected with appropriate fencing around the tree's canopy area that will eliminate construction parking, material storage, and concrete washout that could harm the mature tree.

Chair Plaag confirmed with Ms. Garrett that what she had indicated was that the proposed grading, in her opinion, would not meet the definition of large-scale grading that would dramatically alter the natural slope of the site. Ms. Garrett agreed with Chair Plaag that the proposed grading would not meet the definition of large-scale grading in the courtyard.



Chair Plaag referred to the meeting packet and read some provisions for saving one mature tree and incorporating it into the new design. Mr. Kevorkian explained that it was their intention to save the tree to help provide vegetative screening because he thought it was a historic tree.

Ms. Garrett began the opening statement by announcing that the applicants, Mr. and Mrs. Kevorkian, and the master brewer for Southend Brewing Company, Mr. William Brown, were present at the meeting. She noted that the prior owner had restored some of the building, but the current application is limited to changes to the rear patio and courtyard proposal. She explained that the applicant is proposing to grade and resurface the ground in the courtyard and restore and repair the deck, which supports the stairs that are currently not to code. She noted the proposal includes making the roof of the deck serve as the floor for a second-level deck, and turning the right offset from center window at the rear of the building into a fire exit. She pointed out that the proposed changes are necessary to bring the building up to the current code so it can be used. She said the proposal does not include increasing the capacity. She noted a statement she had from Mr. Stacey Miller, Chief Building Inspector, that said a rear fire exit would be required. She anticipated that most of the discussion would be around adding the second level over the existing deck and the fire exit because these two things would be affixed to the historical structure and would maintain the fenestration of the rear of the building. She added that they wanted to add a temporary metal shipping container to the courtyard, which is not an addition that affects the historic structure. She said the applicant is proposing that the HPC consider what they prefer to see used as a material on the exterior of the shipping container. She pointed out that the rear of the building is the tertiary elevation, it is visible from Howard Street, and that she is aware that there are certain standards related to this type of elevation. In closing, she noted that the owners were eager to get started on this proposed project and have it completed in order to take advantage of the summer season.

Chair Plaag asked the staff if they wanted to make an opening statement with regard to this application. Ms. Turner said the staff did not have an opening statement for this application.

Chair Plaag asked Ms. Garrett if she would like to provide any witness testimony. Ms. Garrett responded that she would like to call on Mr. Bill Dixon from Appalachian Architecture, and Mr. Aram Kevorkian, the applicant, as witnesses. Chair Plaag swore in Mr. Dixon and Mr. Kevorkian.

Ms. Garrett asked Mr. Dixon to walk through the proposed design in the conceptual drawings in the current meeting packet and identify which proposed changes would be new and what would be restoring the existing building.

Mr. Dixon stated that since the original packet was submitted, the staff had completed a zoning review prior to this meeting for several minor changes. He outlined some of the proposed changes as working with the waste management company to get the dumpster location moved so they can access the trash dumpster, working with soil and water on the impervious pavers, final wall designs and locations, screening for the grease trap, and designation of the parking areas. He described the appearance of the rear of the building as a gravel wasteland. He said the proposed renovations would make it a more habitable and pedestrian-friendly area for outdoor use as a restaurant. He said the associated metal shipping container bar would be added as a part of the restaurant operations. He explained that the seating is conceptual because the fire department and building inspectors were requiring a true path of exiting which will be outlined with a paving pattern. He said the historic Locust tree is adjacent to the west of the property, which is currently under construction. He said the property owner beside the Southend Brewing property would make the necessary repairs to the existing retaining wall that is failing behind the trash dumpsters.

Mr. Dixon explained that included in this request is a proposed second-floor deck and egress exit stairs, removing the metal awning, and enlarging an existing window to be an exit door, which would make it easier to use the second-floor level for larger gatherings.

Ms. Garrett pointed out that Mr. Stacey Miller, Chief Building Inspector, had measured the space. She asked Ms. Turner if she knew that the applicant was not proposing to add onto the building to increase the occupancy. She confirmed with Mr. Dixon that the upstairs is now used for office space. Mr. Dixon explained that occupancy is limited because there is only one exit onto King Street, they are only allowed less than 50 people on the second-floor level. He added that the installation of a new door and an exit out of the rear of the building would allow the occupancy to increase.

Ms. Garrett talked about the use of the current office space on the second level of the building. She said if the second-level space was broken up, and walls removed, it would allow the use to be changed so that there would be room for groups and other patrons in that space. Mr. Dixon agreed with Ms. Garrett. Ms. Garrett asked Mr. Dixon if it was Mr. Miller that had indicated that in order to use that second-level space for that purpose, another door exit would be required; Mr. Dixon replied yes.

Ms. Garrett asked Mr. Dixon would the current deck, other than repairing it, would stay in its current location at the historical structure. Mr. Dixon said it is attached at the main floor level and bolted into the wooden structure into the brick. Ms. Garrett asked Mr. Dixon if he was adding to where that was bolted in; Mr. Dixon replied no. Ms. Garrett asked, as far as the roof of the existing deck, would it be removed and replaced with new flooring for the second-floor deck, and Mr. Dixon responded that was correct. Ms. Garrett asked where would the second-floor deck be attached, and Mr. Dixon responded that it would be attached at the rear of the building at the second-floor level. Ms. Garrett asked if it would be attached at the same place that the roof would be attached. Mr. Dixon replied basically yes, that it would be attached at the same place. Ms. Garrett asked what type of alteration or disruption, if any, would there be to the physical structure of the building. Mr. Dixon said there might be some minor alteration because of some additional lag bolts at the rear of the new deck, but there would not be a whole lot of disruption from it. Ms. Garrett asked Mr. Dixon about the location of the lag bolts and if they would be in a different location than the existing bolts that are attached to the building. Mr. Dixon answered that the bolts would probably not be located in a different location. Ms. Garrett asked Mr. Dixon if the existing deck needed some structural repair, and he responded that he thought structural repair was needed.

Ms. Garrett asked Mr. Dixon if there had been any discussion with staff regarding the paving material. Mr. Dixon replied that Mr. Kevorkian could better answer this question because he had spoken with Ms. Turner and Mr. Wise about the paving material.

Ms. Garrett asked Mr. Dixon to describe the existing stairs. Mr. Dixon described the stairs as a combination of wood, cement, and gravel going off the existing deck in the rear of the building. He said those stairs would be replaced with quality material and handrails that meet the building code.

Ms. Garrett asked Mr. Dixon to describe the proposed knee wall. Mr. Dixon said it almost mimics the existing wall that was made out of pressure-treated wood and railroad ties that are in disrepair. He explained that the repairing of the knee wall located on the east side would better define the property lines in the patio area.

Chair Plaag opened the floor for the HPC to ask questions of Mr. Dixon.

Discussion ensued on engineering studies for the second-floor deck. In general, Member Watkins talked about the collapse of decks. He asked if any engineering studies had been completed to determine the potential weight loads for the second-floor deck. He mentioned this because of the lag bolts being attached to an old historic building. Ms. Garrett responded and noted that the engineering studies for the proposed deck should not be a topic of discussion for the HPC because it would be a building inspection issue and not a historic issue. Mr. Kevorkian stated that he had spoken to an engineering firm, and the design for the second-floor deck would be completed to the engineer's specifications.

Chair Plaag asked Mr. Dixon about the proposed method for using the lag bolts, along with where and how they would be connected to the building and the potential impact on the masonry. Mr. Dixon said an engineer should answer that question, but the lag bolts would be where the aluminum metal roof was located. He said the lag bolts could be about one-half inch in size, basically in the location where the bolts are now. Chair Plaag asked Mr. Dixon if the lag bolts would go through the actual brick or in the mortar between the brick. Mr. Dixon reiterated that an engineer should answer that question, but he thought the lag bolts would go beyond the brick and tie into the wooden structure of the building and not rely on the brick veneer to support it.

Chair Plaag said oftentimes in cities with historic districts, you see earthquake rods or other types of bolts passing through masonry walls that rely on a plate system on the exterior side and presumably a plate system on the interior of the building to attach the nut and bolt. Chair Plaag asked Mr. Dixon if he anticipated that there would be bolts attached to a plate over the masonry and on the interior of the building, and if there would be a receiving plate for the nut attaching the bolt to the plate. Mr. Dixon responded that they probably would not penetrate the pressure-treated fire retardant wood and not require a plate system as described by Chair Plaag. Mr. Dixon said there might just be a washer versus a plate. Chair Plaag said the reason he mentioned the plate system is because it has a way of not marring the masonry as badly, and they align so they pass through the mortar rather than through the masonry itself. Mr. Kevorkian interjected that there is an existing ledger board bolted with lag bolts to the building to support the roof. He explained that it was their intention to rely on these preexisting locations along with going by the engineer's specifications.

Ms. Allison Meade, Town Attorney, stated that it was appropriate for the HPC to give direction for the engineer to design a connection pattern that avoids penetrating the brick and it penetrates the mortar, even if it requires a bit more work on the part of the constructors. She further stated that it would be difficult to imagine that an engineer could not work with these types of limitations. Mr. Dixon said every attempt would be made to go through the mortar and not the brick because it makes it easier to drill and make those connections, even though it is sometimes difficult to drill into the exact location.

Ms. Garrett stated that where and how the bolts attached to the building would be the crux of the discussion because it affects the actual structure. She explained that the engineer has not completed the plans because the proposed plan had not been approved yet. She said this makes it difficult to know what the engineer would propose. She requested to the extent possible, if the HPC could give direction on the things the applicant needs to do to get approval on topics, like drilling into the mortar.

Member Watkins voiced his concern for the HPC being asked to hypothetically approve this proposed application. He explained that he felt this way because the HPC does not know what kind of changes an engineer might propose to make the plan workable. He said some of that proposal might have an effect on the appearance of the building and might need to be discussed by the HPC. Ms. Garrett pointed out that the applicant was not asking the HPC to give a carte blanche approval but wanted the HPC to establish the materials that they might approve. She continued, for example, using the same bolts in the same areas and not increasing the bolts more than a certain number and these things could be incorporated into the engineer's plan. She said then once the applicant receives the engineer's plan and it is submitted to staff, it can be approved. She noted that in the past the HPC had given instructions with the understanding that if something did not work out and needed a change, the applicant could come back to the HPC to further discuss the situation. Mr. Kevorkian added that in his conversations with the engineer, they wanted to know the materials that the HPC had approved to add to the proposed plan prior to submitting it for approval. He pointed out that he thought it was unfair for him to be required to submit the approved materials before the HPC approved them.

Member Watkins spoke from a personal perspective, he said it's not so much about the appropriate materials but about what would be required to anchor the second-level deck and what would that do to

the appearance of the building. He said what possible changes would need to be made to make the addition of the deck sound from an engineer's standpoint. He added that he did not see where it was the HPC's responsibility to pre-limit what the HPC's approval or lack of approval would involve.

Ms. Garrett said the applicant was requesting approval of what has been presented to the HPC, and if the manner in which the second-level deck is attached was the question, she said it is possible to table the discussion of the deck attachment issue and discuss the other items proposed for this case. She said the HPC could consider the appearance of the deck without being concerned about how it was attached.

Chair Plaag pointed out that at least two HPC members have shown concern about the issue of how the second-level deck is going to be attached to the existing tertiary façade of this building. He felt that this was an area where the HPC would place some conditions and perhaps want to see at some later date more detail on the appearance of it.

Mr. Kevorkian pointed out that the current proposal shows lag bolts with the ledger board, which is standard practice. He said these types of bolts were used on the existing deck and tied into the building. He told the HPC that at this time, he did not anticipate varying from the existing structure supports in the building, but he was open to the HPC's guidance on them. He hoped that the proposed plan would be approved with the ledger board and lag bolts as presented. He noted that they are not proposing to increase the capacity of the existing deck.

Ms. Meade asked for clarification on the ledger board, if they were proposing an already installed ledger board or installing another one. Mr. Kevorkian explained that the lower deck would be similar in utilization to the second-level deck that relies on a board attached with lag bolts to the building, the current roof has a board with lag bolts going into the building. He anticipated using the same basic methods that are employed on the lower deck to support the second-level deck based on the engineer's approval. He also anticipated it to be minimally invasive by relying on the location of the board that currently supports the roof. He said if the HPC wanted to offer alternative guidance, he was open to hearing it.

Ms. Garrett confirmed with Mr. Kevorkian that, at this time, he was proposing to use the existing board that is supporting the roof. Mr. Kevorkian said the specific board may need to be altered based on the engineer's report. He said if the engineer said the board might need to be larger, he would respect that from a life safety perspective. Mr. Dixon said the existing board will probably need to be replaced at the same location. He guessed that there would be lag bolts about every 16 inches horizontally, spaced about eight inches vertically and connected into the mortar joints.

Chair Plaag pointed out that in the meeting packet and in Mr. Dixon's testimony, he had described a second-level window being enlarged. He asked Mr. Dixon to provide more detail about the enlarging of the window. Mr. Dixon said the roll-lock seal would be removed from this existing window and the brick below it. He said the window would be enlarged vertically but not horizontally to make an emergency exit. He said from the photographs, it appears the window already meets the width requirements.

Chair Plaag asked the applicant to think about the possibility of what is being proposed for the enlarging of the window and if they thought it violated Appendix D, Sections 1.8 and 6.1, and how Section 6.4 might interact with Sections 1.8 and 6.1. He encouraged the applicant to tailor their argument for what is being proposed to the standards because the HPC would consider if the standards apply or do not apply to that proposal for enlarging the window. Mr. Dixon thought enlarging the window was based on life safety issues and providing proper exiting from the building. Chair Plaag replied that the enlarging of the window is not a required change to the building, it is only a life safety issue because the applicant wishes to change, not only the interior of the second level, but also the way the second level is used. He said under code, it necessitates a different type of window opening. He added that in this case, if a proposed change necessitates a change to the exterior of the building as Mr. Dixon described, it is within the purview of the HPC to consider whether that change, even if it is coming from an interior use change. He reiterated that

this is the reason he asked if Appendix D, Sections 1.8 and 6.1 might be a violation, and if the language in Section 6.4 might change that discussion. Ms. Garrett explained that they would respond to the HPC later today on said topic.

Ms. Garrett asked Chair Plaag to swear in Ms. Megan Kevorkian so she could speak on this application. Chair Plaag swore in Ms. Kevorkian.

Ms. Kevorkian referred to Appendix D, Sections 11.1, 11.2, and 11.3 that talk specifically about the implementation, or addition of exterior fire escapes on historic properties. She said that, as the applicant, they did consider these sections of the Unified Development Ordinance (UDO), when making their proposal. She said in the proposed plan, they placed the fire escape at the main exiting window on the tertiary elevation which was explicitly requested in Section 11.2, and on the inconspicuous side as much as possible. She explained that for several reasons, it was not possible to place the fire escape on any other elevation. She described the reasons including, the secondary elevation facing the new Winkler Hotel property does not have any existing windows, historically on that side of the building. She further described another reason is the other secondary elevation was facing the Fire Department that has some existing windows in place that will be clearly visible from King Street, which would drastically change the secondary elevation façade. She also believed that there was a ghost sign on that side of the building, and they did not want to alter that side of the building. She said this left the tertiary elevation, which she believed had some advantages.

Ms. Kevorkian referred to the existing tertiary façade photos in the meeting packet. She pointed out that not much of the building was visible from Howard Street through the small alley partly because of the slanted metal roof on the deck it is rather obscured. She said from that vantage point of Howard Street, there would be very little change other than maybe the bottom section that is going to be extended to create the window into a door. She thought enlarging the window for the fire escape would be the least invasive option to be able to have an adequate fire escape. She referenced Appendix D, Section 11.1, which showed a photo of existing fire escapes in Downtown Boone. She said one of the photos references the Dark Ridge Pottery building that is next to the Horton Hotel building. She said there was a photo in this section that states that is an appropriate implementation of an external fire escape to the building. She noted that particular fire escape takes up a massive part of the building, proportionally of the building itself. She said in the proposal with the second-level deck, they are not only allowing more visibility of the building on the first-level deck, but they are also going to minimize the obscuring of the building on the first and second-level floors by not having a wrought iron metal fire escape. She explained the proposal is to use the staircase that is on the side and is fairly hidden and would still allow large visibility of the building. She said they wanted to showcase their building and make it more visible. She thought their proposal included the best way for both life and safety as well as convenience for their patrons. Chair Plaag agreed that the sections that Ms. Kevorkian referenced were relevant to this application.

Chair Plaag referred to meeting packet page 59 and a historic image from possibly the 1990s of the rear of the building. He said what appears in that image is some sort of caged fire escape with a circular material around the ladder that descends from the window to the ground. He asked Mr. Dixon if that circular portion of the fire escape had been removed, and Mr. Dixon responded that it had. Chair Plaag added that the historic photographs showed the fire escape being extended all the way to the ground. Mr. Dixon explained that the current fire escape only goes down to the first-level deck, and there are stairs that exit the deck.

Chair Plaag explained that his line of questioning was to find out if the historic fire escape survives intact as it probably was originally on this building in the 1990s. He said if part of this fire escape has been removed then the integrity of that architectural element has been compromised. Ms. Garrett confirmed that in the current photo of the rear of the building, there is no circular material around the fire escape.



Mr. Kevorkian pointed out that in the 1990s image, the fire escape ladder actually goes over a pre-existing window. He said they could not narrow it down to the year, but given the materials, installation techniques, and reviewing all of the photos that they had presented, there was no indication that the fire escape ladder was original to the building.

Chair Plaag talked about the original set of proposals for this project and that the updated proposal was presented in blue ink. He said it appeared to him that the original proposal showed the patio covering was a “stained pattern concrete” but that was changed. Mr. Kevorkian confirmed that they are not proposing to use a “stained pattern concrete” for the patio covering. He explained that there is an overlap between the HPC and the environmental planner and the design of the patio area has to consider permeability to save the tree. He added that the proposed design changes are based on the specific request of the Planning Department.

Chair Plaag pointed out that at the rear of the building there are two or three parcels that are to the west of the Town alley, and a tiny parcel near the top of the alley that are owned by the applicant. He said the Town alley goes into an L-shaped turn that continues to the east behind the other King Street buildings. He asked Ms. Turner, if the Fire Department had commented on the turning radius of their vehicles to access that alley way. He noted that currently the Fire Department has the ability to access the alley way by going over onto the applicant’s property. He showed concern for if the HPC approved this project and the project is completed, whether it would impact the ability of the Fire Department to make the turn to access the alley way. Ms. Turner said that the Fire Department reviewed the turning radius for their vehicles and they had no issue with the proposal of the project. She added that the applicant had combined their property located at the rear of the building to the front parcel but it had not been updated yet at the Watauga County tax office.

Chair Plaag confirmed that the proposed outbuilding that is being built around a shipping container was going to sit on the ground and would not be anchored into the ground. Ms. Garrett replied that the shipping container would not be fixed to the ground in any way so it can easily be moved.

Chair Plaag asked the HPC if they had additional questions for Mr. Dixon’s testimony.

Member Watkins noted that in the meeting packet there were conceptual proposed clad options and a plat that showed a different kind of rendering of the shipping container. He asked if there was a proposed final design for it or was it a hypothetical design. Ms. Garrett explained that the applicant consulted with staff extensively regarding the shipping container. She felt that because the process was new for everyone there was not much direction given because no one wanted to commit to what the HPC might require. She explained that unlike the deck discussion, it is alright to delay the discussion on the shipping container because the applicant wants to know from the HPC what they want the shipping container to look like. She said the applicant wanted to propose a building material that would be acceptable in the historic district. She said the applicant would be willing to consider using a wood material option on it along with painting it and using a trellis and vines to screen the side of it that faces Howard Street.

Member Watkins pointed out that the shipping container may be a movable unit but it is 20 feet long and it is going to look like a building. Again, he voiced his personal opinion that he felt like the HPC was being asked to approve a hypothetical design. He said the HPC does not know the type of roof it might have or if it has windows or not. Ms. Garrett explained that it would not have a pitched roof. Ms. Garrett asked the HPC to give into account that the staff has not given a lot of input on it because it is such a new process for them. She said there would be new things that come up that have not been considered before and understandably staff would want the HPC to review them instead of staff making a decision. She said respectfully, it is not reasonable to expect the applicant to have everything completed knowing that the HPC would potentially have an opinion on it. She stated that it is a shipping container that could easily be

approved by telling the applicant the material they wanted it covered in. She voiced her frustration that the HPC felt like they could not weigh in on the building material.

Chair Plaag explained that Member Watkins was trying to say that there is a perception that has evolved that the way to go through this process with the HPC is to attend the hearing, and the applicant would ask the HPC to tell them what they want to see. He explained that the way the process is supposed to work is that an applicant tries to create a design that complies with the standards, and the appearance, in the opinion of the applicant, while maintaining some degree of flexibility. He said then, if the HPC expresses concern that some portion of the proposal violates a standard, the applicant can pivot to another solution for that particular issue. He said this should not be a process where the HPC is telling the applicant how to design their buildings.

Ms. Garrett pointed out that there was already a specific shipping container structure proposed design before the HPC. She said the applicant was told by staff that the said proposal would not meet the code and was told to put wood on it. She added that there was no instruction in Appendix D on what to put on the shipping container or on a temporary accessory building. She asked the HPC to tell the applicant if they wanted something changed on the proposed building material.

Mr. Kevorkian explained the process that led up to this. He explained, after reviewing the code very carefully, he submitted a proposed plan with renderings for a shipping container bar that included vegetative screening and made sure the shipping container was not attached to the ground. He said one day before the deadline for this hearing, the staff told him that they thought he needed to clad the shipping container in wood. He said he was open to cladding the container, and he revised the plans to include the wood option; however, he did not have time to have the architect update the renderings. He agreed with Ms. Garrett that he did submit a proposed plan for the container based on the specific guidance received prior to this hearing. Chair Plaag clarified with Mr. Kevorkian that he referred to Number Five under the proposed improvements provided in the meeting packet. Mr. Kevorkian confirmed that the amended proposal was shown in blue ink.

Chair Plaag confirmed for the HPC that the renderings on meeting packet page 29 showed the original container itself with no wood cladding, and on meeting packet page 30, the revised renderings showed the proposed conceptual wood cladding options. Mr. Kevorkian agreed with Chair Plaag's description. Ms. Garrett noted that the roof would not be pitched, but it would be covered with metal that would not be visible.

Member Watkins noted that he was familiar with shipping containers, and he was not sure that the HPC would approve the dropping of a shipping container in the historic district. He voiced his concern for the HPC to approve something where there was no design presented to them for their review.

Ms. Turner stated that the staff did meet with the applicant several times before the staff report was created. She noted that the staff did speak to the applicant a couple of days before the meeting packet was supposed to be posted, and the staff encouraged the applicant to withdraw their submission and wait until the next hearing so they could get more information on the metal shipping container. She said she spoke again with Ms. Garrett and Mr. Kevorkian on the phone about the metal cladding. Ms. Garrett seemed to think that the HPC would allow the metal cladding on the shipping container because the HPC allowed it on the diSanti, Watson, Capua, and Garrett Law Office building to be able to put the stucco on the building.

Ms. Garrett clarified that it was her understanding that the HPC was concerned with the appearance of historic structures and materials that are visible and not what material is under a historic structure. She added that the shipping container was a temporary container, and what is under the wood is not within the HPC's purview. She thought what was relevant was if the HPC liked the materials on it and the

appearance of it and would they be willing to approve a temporary structure building not fixed to the ground

Ms. Meade stated that she was concerned about the references made to the shipping container as a temporary building. She pointed out that the shipping container would be reviewed under the building and zoning codes because it would have plumbing and lighting. She said the shipping container would be no different than if it was stick built, as she understood it. On the other hand, it might be relevant to the HPC if the structure appeared to be temporary in nature. She said it doesn't matter that the building started as a shipping container, it just happens to be the bones of this particular building. She said maybe it can be made to appear in a way that the HPC thinks it is congruent. She said the fact that it is not fixed to the ground does not change the review under the codes nor the analysis of the HPC in this case.

Chair Plaag responded to Ms. Meade's comment about the bones of this particular building. He said the HPC is concerned with regard to historic buildings, existing historic buildings, and whether changes to the underlying bones as part of a renovation to a building are appropriate or not. He said the HPC is generally focused on exteriors, but if part of creating a new exterior is destroying the workmanship or the material of a historic building, then the HPC would be concerned and want to comment on it.

Chair Plaag explained that the reason the HPC was less concerned about the bones of the diSanti, Watson, Capua, and Garrett Law Office building and what laid under the exterior material was because it was determined that nothing historic of that façade survived because of the various changes that occurred over time. He said a new storefront was allowed because the existing storefront was no longer available.

Chair Plaag explained that in the case of the shipping container, we are talking about new construction, no matter whether it is temporary or permanent, it is a form of construction. He said, unfortunately, the standards are written without a "carve out" that specifically addresses buildings that are temporary, for example, trailers or double-wide trailers. He added that, in some ways, the shipping container proposal is like dropping a trailer in the middle of the historic district. He appreciated Member Watkins's comments on whether or not a shipping container is appropriate in the historic district. He noticed that the original proposal presented a screen mounted possibly along the alleyway, just to the south of where the shipping container would be located. He said the original plans referred to a wood lot that was not in the revised proposal or in the proposed improvements under Number Five dated April 25, 2023.

Ms. Garrett pointed out that the applicant was told to use wood cladding, and they did. She said for the screening this is where the applicant needed guidance on whether to add vines or not add vines. Chair Plaag responded that it was not clear to him if the screening meant an independent screen, something connected to the dumpster wall, or the way you would screen an air conditioning unit on a rooftop. He further added if the applicant meant they were proposing to put something on the back of the shipping container to make it look less like a shipping container. Ms. Garrett noted that she understood Chair Plaag's point regarding the proposed screening.

Chair Plaag said that Member Watkins and other HPC members had a concern about whether it is appropriate to put a shipping container in the historic district. He added that if we think of it as a building that has plumbing and electrical in it, it is regulated under the building code. He said it is probably considered a building, even if it's temporary, and then the construction standards would apply for what is appropriate for new construction. Mr. Dixon referenced the Design Standards for Historic Streetscapes, Landscapes and Monuments, and Other Resources in the District. He pointed out that these are provisions in the code that allow for new accessory structures.

**Appendix D., Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, Streetscapes Section 1.17.** New accessory structures should be complementary to the scale, form, materials, and details of surrounding historic buildings but built in such a way that they do not convey a false sense of historic association. New



structures should be located at the rear of historic properties so that they do not intrude upon the historic streetscape.

Ms. Meade suggested that Chair Plaag ask staff how they analyzed this as an accessory building versus a primary building. Chair Plaag asked Ms. Turner to comment on this topic from a zoning perspective. He asked Ms. Turner if the staff was treating the shipping container as an accessory structure or as a building. Ms. Turner said that the staff considered the shipping container as a new Principal structure. She said it would not be considered an accessory structure because of the use of the building being different from what the restaurant was going to be as a separate structure outside for ordering food and drink. Ms. Garrett asked Ms. Turner if she had ever told the applicant about the principal use because the applicant was not aware of it being referred to the accessory building structure. Ms. Turner said it was an accessory use because it is an outdoor bar of the existing building. Ms. Garrett said this was the first time that she and the applicant had heard the term principal use. She noted that she did not know how it could be a principal use.

Ms. Jane Shook, Director of Planning and Inspections, stated that she felt that the conversation needed to be split between the use and the structure. She said the staff was considering the use being part of the restaurant use. She explained that the activity generated was not being looked at as an accessory use but as another principal structure in the Downtown. She further explained that it doesn't matter if it is an accessory use or principal use, as it has no bearing in the Downtown because the setbacks do not change like in other zoning districts that would have an impact on the setbacks.

Chair Plaag said it would have an impact on which section of Appendix D the HPC was looking at when considering the standards. Ms. Shook said as the staff was reviewing the use, they looked at it like an addition and not necessarily under new construction. She said when the staff went through the standards, it was interpreted that new construction standards were being compared to the construction of other buildings on other adjacent lots. She continued that comparing the new construction standards to those under the additions standards were different. Further, she added that the additions standards were comparing the construction on the same lot to the main building, or in this case a restaurant. She said the staff used the additions standards in the staff report. Chair Plaag asked the staff if it was Appendix D, Section 13 of the Commercial Standards; Ms. Turner replied that was correct.

Ms. Garrett stated that Ms. Turner had always been very helpful, but Mr. Kevorkian was telling her that this was the first time he was hearing of the principal use, prior to now, it was never mentioned. Ms. Turner said, as Ms. Shook stated, it has no bearing on the setback for the Downtown Historic District because there are no setbacks. Ms. Garrett asked Ms. Turner if that meant that it had no bearing in this hearing because that was what she was concerned about, and the use was the context of all of the discussions. Mr. Dixon commented that he did not see how it could be considered anything but an accessory structure to the primary building. Ms. Garrett asked to review the section that the staff was basing the use on to determine it as a principal structure. She did not understand how this proposal was different than where somebody parks their car and goes into their home. She said this is a bar where someone can walk out and sit on the patio and visit the restaurant. Ms. Shook explained that a shipping container bar was not customarily associated with restaurant use. Ms. Garrett asked Ms. Shook if an outdoor bar type of structure would be considered an accessory use. Ms. Shook asked Ms. Garrett if she was talking about the use or the structure. Ms. Garrett asked Ms. Shook to point out the code that the staff was referring to. Ms. Shook clarified with Chair Plaag that we are still distinguishing between the use and the structure. She said we are not disagreeing that the use within the structure is the restaurant use. She said we are agreeing that the structure itself is not necessarily an accessory use because the structure is not necessarily associated with that particular building. She agreed with Ms. Meade that more clarification on the temporary use would be helpful. She said does temporary mean just because they can move it or that they are going to move it occasionally.

Chair Plaag pointed out that he, and maybe other members of the HPC, feel that based on the new understanding of how this building is being treated by staff, in regards to what type of structure it is primary versus secondary, trying to find out which set of standards applies to this discussion. He does not think it is fair to the applicant or to the Town to try to figure it out on the fly. He said that distinction was not spelled out in the meeting packet that was presented to the HPC by staff. He said because this significant distinction would affect how the HPC evaluates this topic, it would be appropriate and fair to the applicant and to the Town to take a pause on it and allow the applicant to respond to this information to see if they believe that it does nor doesn't meet certain standards that would apply. He felt that it was imperative that the Town make it clear which set of standards they believe everyone should be considering. He added that he was looking at a different set of standards for this property based on what was described for this particular proposed shipping container/building. He reiterated that he did not feel comfortable making a quick decision on the fly without having had a chance to review the standards and how they would apply to Appendix D, Section 13, Additions to Existing Buildings in the District, or Section 14, New Construction of Commercial Buildings within the district. Ms. Garrett reiterated that the applicant would be willing to table the request regarding the shipping container and move on to the rest of the proposal and revisit the shipping container at the next hearing if that was acceptable by the HPC.

Ms. Shook pointed out that when the staff report was created for this case, the staff included Appendix D, Section 13, Additions to Existing Buildings, [Design Standards p. 96-98]. She told Chair Plaag he would have to ask Ms. Turner why she added Appendix D, Section 14.6 on new construction in the staff report. She pointed out that in the last review letter sent to the applicants by staff that Appendix D, Section 13 was included in those letters. Chair Plaag asked Ms. Shook if the review letter was in the meeting packet; Ms. Shook said typically, they are not part of the packet. Ms. Garrett stated that she and the applicant would read the review letter. Ms. Shook said that in the future, at the beginning of the review of an application, the staff needs to discuss the applicable standards. Ms. Garrett said that the applicant could revisit this topic with the staff and come back before the HPC.

Chair Plaag told Ms. Shook that he understood that Section 13 standards were included, and he assumed that it was in reference to the addition of the second level of the deck. He said it was not clear to him that staff was reviewing the shipping container as an addition to an existing building.

Ms. Meade explained that in her view, the structure at issue is a new accessory building. She added that staff and, ultimately the HPC, needed to confirm this and figure out the appropriate standards to apply to it. She said certain standards might not be directly on point, but they might be the closest that the HPC has to apply.

Chair Plaag stated that, at best, we are looking at a continuation of this hearing to give everyone a chance to ponder how the standards might apply rather than risking making a decision on the fly that may not be correct or a fair decision for everybody involved.

Chair Plaag asked Ms. Garrett if she had additional topics to address about what was proposed today or did, she want to hold those topics until they were reconvened. Ms. Garrett responded that she did not have more information to present on, materials, or witnesses for the rest of the hearing.

Ms. Garrett clarified that the applicant would like to request for the HPC to consider the approval of the fire escape and the appearance of the second-level deck at this time, until the engineers could provide the applicant with how they are suggesting to attach the deck to the building. She said that information could be presented at the next hearing when the shipping container was discussed. She added that the proposal for the second-level deck would be a ledger board and lag bolts. She said the applicant would like for the HPC to make a decision on the second-level deck and give clear direction with a recommended attachment mechanism that the applicant can give to his engineer. She said the applicant also would like to request that the HPC approve the fire escape, stairs, and patio area with some sort of knee wall around

it. She understood that if the HPC allows the ledger board with the lag bolts and the engineer says that will not work, the applicant would come back before the HPC to discuss a modification.

Member Watkins clarified that his personal concern was not questioning the use of the shipping container as a substructure or as the basis for building something else. His concern was that the HPC had no rendering to review the final appearance of it.

Chair Plaag told Ms. Garrett that he appreciated it and he understood the reasoning for her request for approval. He explained that the HPC typically reviews the entire application and they do not review them in parts, he said they might negotiate or revise some things through the COA process of considering a COA. He added that he didn't think that the HPC could give approval at this hearing based on the question about the shipping container and because it is such a substantial part of what was proposed for this case. He stated that he would feel uncomfortable giving a piecemeal approval because that is not what was submitted, and the HPC was voting on the entire application, and they are not voting on pieces of the application.

Chair Plaag explained that after the testimony phase of this hearing, he was willing to entertain a discussion among the HPC on the things that Ms. Garrett enumerated, so the applicant can get a sense of what concerns the HPC might have about what is proposed for those other areas.

Chair Plaag asked Ms. Garrett what her thoughts were about his willingness to entertain a discussion among the HPC members on their proposed items. Ms. Garrett responded that it was imperative for the applicant to be able to start work, and he did not want to wait. She said respectfully, she did not understand why the HPC could not consider the entire plan except the shipping container because it was completely separate and did not affect anything else. She said if the applicant cannot get approval, the applicant would withdraw the request for the shipping container entirely and reapply for it later, when there was some clarity on what code applies to it. She said the applicant did not want to hold up the work because of the shipping container aspect of the request. Chair Plaag asked Ms. Meade if she saw an issue with Ms. Garrett withdrawing the claim for the shipping container for now. Ms. Meade had no issue with putting aside the shipping container issue and proceeding with the rest of the proposal.

Ms. Shook advocated for the applicant, noting that the only reason that she would do that is that she believed that there was a miscommunication that the staff needed to clear up, and the staff would love to have the opportunity to do so. She also mentioned that if there was a way that it could be done without having the applicant reapply, she thought that would be beneficial. Ms. Meade noted that the HPC could continue the hearing as to the other issues and then issue a limited COA just on this particular point. She stated that she did not see an issue with handling it this way.

Chair Plaag asked Ms. Garrett if there was other testimony or evidence that she wanted to present at this time. Ms. Garrett said she did not have other testimony or evidence to present, but she was ready to give a closing statement. Chair Plaag told Ms. Garrett to go ahead with her closing statement.

In closing, Ms. Garrett asked the HPC if they were comfortable with the proposed ledger board and lag bolts, specifically in the mortar. She said that if the engineer cannot support those materials, the applicant would let the staff know and ask to modify the proposed plan. She said the applicant would ask the HPC to consider approving the deck with whatever attachment they were comfortable with or approve the deck and concept and ask the applicant to show what the attachment would be. She said that the applicant does not want a denial over whatever the attachment would be.

Ms. Garrett talked about the removal of the brick below the window to allow for the installation of a fire escape exit that will be a permanent change to the structure. She thought, based on the fact that this proposed change was bringing the building and the fire escape up to code. She said there needs to be a fire escape, regardless of whether Southend Brewery uses it for a greater number of people or not.

Ms. Garrett said that the applicant made it clear that they are willing to clad the second-level deck or any portion thereof with wood or anything that the board prefers that would make it more compatible with the historic district.

Ms. Garrett said bringing the stairs up to code is a safety issue, and the applicant is flexible on the building materials used on the stairs.

Ms. Garrett said the applicant believes that the proposed changes would be a vast improvement over the existing rear elevation and the use was the same as the existing use.

Ms. Garrett thought the proposed changes would work well into the Comprehensive Plan in terms of pedestrian traffic, using the historic buildings in a manner that allows the public to enjoy them. She said that the applicant would ask that the HPC take their application as an effort to get guidance and do what they think would be the best possible use for the rear of this building. She said that the applicant hoped that the HPC would consider this proposal appropriate for the historic district.

Chair Plaag asked the staff if they had other evidence that wanted to present on this case. Ms. Turner replied that the staff did not have other evidence to present for this application.

Chair Plaag asked Ms. Turner if the staff wanted to make a closing statement. Ms. Meade questioned the contention made by the applicant that a new entry door on the second level was required for safety reasons. That was not consistent with her understanding, which is that the entry door is not compelled for safety reasons but rather to increase the allowable capacity of the second floor. She noted that, to be clear, if there was a second-level deck, an entry door would be required. Ms. Garrett clarified that the information was based on a comment that Mr. Kevorkian had made, and she may have misunderstood him. She asked Mr. Kevorkian to clarify what he knew about the capacity. He explained that based on a letter presented by Mr. Miller, to utilize the second-level floor for its current use at its maximum, a second form of egress would be required. Ms. Garrett explained that without changing the current use, the existing fire exit upstairs was not counted by the Fire Marshal because it is not usable. She pointed out the Fire Marshal said whether the Southend Brewery used the upstairs or not, a fire exit was required.

Chair Plaag noted that he was not comfortable with an applicant testifying to a letter that they received from the staff without that staff person attending the hearing to say what was actually in the letter. He also noted that the letter was not in the meeting packet. He asked the staff that in the future, to add the letter or information that is in support of a case into the meeting packet if the information was concerning pertinent issues like this one. Ms. Shook explained that Mr. Miller was available at the prior hearing for this case when it was originally scheduled. She said, unfortunately, he was not available for this hearing, and he wrote the letter in anticipation of not being able to attend this hearing. She said the staff does have a copy of the letter. She pointed out that it is not the staff's practice to modify staff reports or board packets after publication which is the reason it was not in the meeting packet. She thought this might be information that a licensed architect could confirm, and she suggested that perhaps Mr. Dixon could speak to the information.

Ms. Meade stated that she was hearing the applicant say that it was required, as a matter of law, in order to continue using this space, and there has to be a new entryway, and this this was not accurate. Rather, if a new second-level deck is added, then the new door entryway would be required.

Ms. Garrett told Ms. Meade that she wanted to clarify that when she was making her closing statement, she may have misunderstood what Mr. Kevorkian had stated regarding the continued use of the upstairs space. She said in the context of Mr. Kevorkian's statement about the old fire escape, it was not relevant, except that Mr. Kevorkian had commented that the Fire Marshal was not counting the old fire escape that was there. She asked Mr. Kevorkian to explain the fire department requirements to continue with this use, which was the Ransom Restaurant and Bar and upstairs office and apartments.

Mr. Kevorkian explained that to continue to use the building with restricted capacity, the current fire escape was not considered, they could technically continue the same use under this punitive situation. He said he perceived this information as enforcement that he must limit the capacity, if they change the use, then a second form of egress would be required to remove the restrictive measures.

Ms. Garrett said she did not think that Appendix D addresses the use, it does address fire escapes, when they are attached, and about preference for tertiary elevations. She added that the building use has been restricted, and there is no change to the structure of the building except bringing the building structure up to the current code. She thought telling a property owner that he cannot use his building for its capacity is restricting the use of the building. She said the applicant was not asking for increased capacity, but that is by law what they are allowed to use it for. She clarified that the capacity is allowed for the restaurant but you have to have a fire escape to make it permissible. Ms. Meade pointed out that the applicant does not have the right to expand a restaurant use into an area that has not been a restaurant use in the past. Ms. Garrett said she was referring to occupancy. Ms. Meade responded either way, the applicant does not have the right to change the use or occupancy, and the applicant will have to comply with the HPC.

Chair Plaa told Ms. Garrett that he agreed with Ms. Meade's point regarding the use or occupancy. He stated that to reach that expanded occupancy number, the applicant was proposing to take down interior walls and modify the interior space to the second floor, which is not in the purview of the HPC. He explained that what the applicant was proposing had to be permitted by the Town in order to even get the increased occupancy in the first place. He further explained that we are not talking about an occupancy use on the second-floor level that is already permitted by right. Mr. Kevorkian pointed out that he was not proposing alterations to the use of the second floor, and they are not recommending that it be changed to restaurant use because this area is currently office space. He added that this same area is restricted as office space.

Ms. Garrett asked Mr. Dixon to read into the record the letter dated May 8, 2023 (permanently on file) from Mr. Miller that stated the details of his site visit to measure and determine the occupancy limit of the Wine to Water upstairs space located at 747 W. King Street. The result of Mr. Miller's site visit indicated that the space measured in its current configuration would accommodate 61 people. The letter further stated that since this space only had one approved means of egress, the occupancy was limited to 49 people per the current building code, and if a second approved means of egress were established, full occupancy could be used. Ms. Garrett noted that the information in the letter was slightly different from what she had previously stated and that any internal renovations to the upstairs were irrelevant. She thought Mr. Miller had stated in his letter that the upstairs space in its current configuration does accommodate 61 people, but it does not have fire access for that many people. She stated that the applicant was not asking for an increased occupancy limit over 61 people.

Chair Plaa stated that Mr. Miller's letter does not say in order to solve this problem, the applicant should install a second-level floor of decking to be used as a second gathering area for people using the restaurant and build a new fire escape to serve it. He thought Mr. Miller was stating in his letter that the current fire escape can only safely, under the NC Building Code, facilitate 49 people being able to escape the second floor of the building. Ms. Garrett pointed out that the existing fire escape is not a fire escape, according to the building inspector. She said there is no fire escape right now for the second floor on the back of the building. She stated currently, the 49 people allowed in the upstairs area have to exit through the primary entrance. Chair Plaa said that Mr. Miller's letter stated that if the applicant wanted to add a new fire escape that would more adequately serve the upstairs in its current configuration, they might be able to expand it. Mr. Kevorkian stated that because they wanted to use the building for business, he felt like they needed a fire escape.

Ms. Garrett noted that since Mr. Miller was not available, she suggested that she withdraw the way she phrased her previous statement in her closing statement regarding the old fire escape that was at the rear



of the building. She said that based on the way that Mr. Miller expressed the need for a fire exit, the applicant's plan proposes to maintain the existing fenestration to the degree that wouldn't be adding an opening but expanding an existing opening vertically. She said the existing tertiary elevation has a roof over the deck, they would propose to remove that roof and make a top deck, which is allowed by the historic standards and is in conformity with the district. She referenced Appendix D, Section 11, for the proposal of the fire escape. She noted that for the applicant to be able to use the building for its capacities is important. She asked that the HPC consider balancing the historic goals with allowing the property owners to use their building with their minimal proposed changes.

Chair Plaag asked if there was any other interested party to speak or present evidence supporting the application; if there was any non-party witness to speak or present evidence supporting the application; if there was any interested party to speak or present evidence in opposition to the application; and if there was any non-party witness to speak or present evidence in opposition to the application. There were no answers in the affirmative.

Chair Plaag closed the testimony phase of the hearing for this case. He noted that the witnesses heard from previously might be recalled for additional testimony during the HPC's discussion.

Chair Plaag opened the floor for the HPC to discuss the evidence at hand regarding this proposal.

Chair Plaag confirmed that the applicant had withdrawn, for the time being, the shipping container aspect of the proposal for this particular project. He thought the questions that the HPC needed to address to consider, in keeping with the standards for the district, were regarding the proposed addition of a second-floor rear exterior deck, the proposed method of connection of the second-floor rear exterior deck using the ledger board and lag bolts passing through the mortar, the proposed courtyard changes including the layout, the new walls at various edges of the courtyard area, the new stair system, as well as pavers on the courtyard itself, and the modification of the existing second-level window into a fire door exit with a vertical change, not a horizontal width change, to facilitate a new fire escape that would go out on the second-level deck.

Chair Plaag opened the floor for questions or discussion by the HPC. He asked the HPC to speak to the relevant standards and whether they believe or do not believe that the items proposed comply with the standards of the district.

Member Sharp asked the HPC if they had concerns about the proposed specific installation method of the ledger board and lag bolts. Member Watkins noted that Ms. Garrett asked the HPC to determine if the HPC was comfortable with the use of a ledger board and lag bolts. He stated that he was not an engineer and he was not comfortable with that solution. He might be comfortable with this solution if he could see an engineer's report. Ms. Garrett interjected that the safety of the structure would be determined by another body. She agreed that the proposed work needed to be safe, but the HPC does not consider safety as part of their purview. She said the HPC cannot make their determination based on the safety of the proposed work. He explained that an engineer would be able to tell the HPC the required modifications for the building. He said the requirements from the engineer might affect the HPC's opinion because it would reflect potential changes to other parts of the building to make the deck structurally sound and safe.

Ms. Meade expressed her thoughts that an engineer could create a design that involves drilling through brick and another design that involves not drilling through brick. She said it is within the purview of the HPC to say that if the engineer comes up with a solution that only involves drilling through mortar, not defacing the brick and attaching ledger boards, and it is proper under the Unified Development Ordinance (UDO) per the staff, that the HPC conditionally agrees to that type of an attachment. She said the HPC could say that they want the bolts attached only through penetrations through the mortar as the



preferable method, whereas penetrating through brick is not. She said this is a way for the HPC to give some direction to the engineer who can solve this issue.

Chair Plaag told Member Watkins that he appreciated him expressing his concern, but he agreed with Ms. Meade that the way for the HPC to address this concern is to make a conditional approval that says, assuming it meets all of the code requirements of the Town and passes the engineer's review for safety purposes, the HPC is approving the use of ledger board and lag bolts that pass only through the mortar joints of the tertiary elevation of the building as an acceptable method for attaching the proposed second-level story of the deck to the building. He explained that this way, the applicant is still required to meet the engineering test through the permit process and other UDO requirements. He added that if the attachment method in the conditional approval is not acceptable, the HPC could verbalize to the applicant that they would be required to come back to the HPC for reconsideration of the second-story deck and its connection method to the building.

Member Watkins reiterated his concern was the HPC had not been presented with evidence about load calculations. He added that the HPC does not know what has to be done to the rest of the building in order to make that possible. He further stated that he did not see how the HPC could make a judgment as to the applicability of that solution to the problem until they can be presented with the load calculations from the engineer.

Chair Plaag pointed out that the HPC cannot consider safety concerns because it is not in their purview. He said the HPC could consider the impact of proposed additions to a building. He said the applicant had requested to use a ledger board and lag bolts passing through the mortar joints. He noted that this was a specific revised proposal the applicant made as part of the means for anchoring the second-level deck to the building. He said he was comfortable with that from a historic standpoint, unless the engineer says there is no way the proposed deck can be put there that will support 60 people using that method of installation. He explained that by making a conditional approval the applicant would be required to come back to the HPC and explain that the engineer could not use the proposed method of installation and present a revised proposal. He further explained that the HPC had to consider the request from the applicant based on the merits and the evidence that is available to them.

Member Watkins responded to Chair Plaag's comments and stated that he agreed with Chair Plaag regarding the purview of the HPC. He asked Chair Plaag if he thought the proposed resolution would bring the applicant back if the engineering studies proved to be incompatible with the proposed solution. Chair Plaag replied yes because the HPC was approving a specific method of attachment. He added that it would be a conditional approval based on that being the method that is used. He pointed out that when the Town inspectors go onsite, they review the plans prior to the site visit, and they would know if the applicant had adopted another method in the plans, and the Town inspectors would notify the applicant that they would need to go back to the HPC for further discussion. Chair Plaag said he had confidence that if there was an issue with the connection method, it would ultimately come back to the HPC for reconsideration.

Ms. Meade reminded Chair Plaag that the HPC proceeded in the same way with conditional approval when they reviewed another COA application for the front of this building. She said the conditional approval was based on what was found underneath the plywood that was taken off the building. She said also for that same case, the HPC provided for contingent approval, and it turned out to be the best-case scenario, and the applicant was able to proceed without coming back to the HPC for further review and discussion.

Chair Plaag noted for the record that he was not entirely satisfied with the solution that was achieved on the front of the building next door because he took the photos while it was still open and the frieze panel was indeed there, which is what they expected. He said on the outer surfaces of the pilasters was a veneer that was mounted over the original pilasters. He explained that there was one layer of brick that was

pushed out from the original pilasters and they have tried to seam in that frieze panel so that it aligned with the outer layer instead of aligning with the original layer. He wondered if this was the type of thing that might force the applicant to come back to the HPC for further review and discussion. He did not know if staff or anyone other than someone with a trained eye would have picked up on it. Ms. Garrett asked for clarification because it might affect the HPC's consideration of this application. She asked if the concern was that the applicant did something that they were not supposed to do because the applicant thought they did what they were asked to do. Chair Plaag did not say that somebody did something wrong. He explained that as part of the renovations that were done in likely the 70s or late 60s on that building, they put on a new veneer to facilitate bringing the profile of the building out to meet the Crab Orchard stone on the building next door and to allow for that new panel and to make it look right. She reassured the HPC that the applicant fully knew that their work needed to be inspected.

Chair Plaag emphasized that in this particular case, and in the other building case, the applicants impressed him with their desire to try to do something that respects the history of the two buildings, while also allowing them to adaptively reuse the building in a way that is beneficial to their business. He said he appreciated it. He noted that his disappointment about how things turned out in the front of the building next door is not a reflection on them.

Chair Plaag asked the HPC if there were other comments on the congruent or in congruency of the proposed second-level deck and its connection method as proposed by the applicant.

Discussion on the fire escape. Chair Plaag said the applicant was proposing at the rear of the building to take the second window from the right on the second floor and vertically expand that opening to make it a door without widening the window. He said that he would require any approval for the fire escape to be conditional on it not being widened and changing the width of that opening of the original window.

Chair Plaag referred to Appendix D, Sections 1.8 and 6.1 and 6.4.

**Standards for Commercial Properties Within the District, Commercial Properties with the District, Storefronts, Upper Facades, Side Elevations, and Rear Elevations, [Design Standards p. 61-67]**

**Section 1.8** Facade details of side (secondary) and rear (tertiary) elevations should always be retained and preserved if possible. When repairing these features, retain and preserve in place original elements as much as possible. If repair is not possible, replace damaged elements with materials that match the originals in composition, design, texture, color, and other visual qualities. If there is evidence of a rear public entrance that is no longer extant, use historical research and other evidence to reconstruct or provide an equivalent rear entrance whenever possible.

**Standards for Commercial Properties Within the District, Commercial Properties with the District, Windows, Doors, and Awnings, [Design Standards p. 75-84]**

**Section 6.1** The pattern, arrangement, location, size, and shape of windows and doors contribute significantly to a building's historic character, and their consistency within the district helps unify the buildings in context to one another. For this reason, it is always preferable to repair damaged windows and doors rather than replacing them. Furthermore, it is imperative that the fenestration pattern of the door and window openings on the building and of the doors and windows themselves (muntin width, number of lights per sash, etc.) be maintained when repairs to or replacement of elements is underway. It is never appropriate to introduce new features, such as vents, bays, windows, or door openings, in exterior walls if they diminish the historic character of the wall or damage historic materials.

**Section 6.4** Unless restoring the appearance of a building to its original, historic context, the pattern, arrangements, and dimensions of doors and windows on principal elevations should be

retained. On tertiary elevations not visible from the street, new door or window openings should be proportionate to existing ones and include matching design elements.

**Section 6.8** Shutters should be attached to the window casing, not the siding or masonry, unless the original historic context of the property featured shutters attached to the siding or masonry.

Chair Plaag pointed out that the applicant referred to Appendix D, Section 11.1. and Section 11.2 for fire escapes and their locations.

**Standards for Commercial Properties Within the District, Commercial Properties with the District, Accessibility, Health, and Safety Considerations, [Design Standards p. 93-95]**

**Section 11.1** New exterior fire escapes are not permitted on historic properties unless more adequate exit facilities cannot be provided. If they must be installed, fire escapes generally should be located at the rear (tertiary elevation) of the building and never along an elevation visible from an adjacent street.

**Section 11.2** Introducing items such as wheelchair ramps, fire exits, and fire stairs without damaging the character of a historic structure requires careful planning. Owners should introduce fire exits, stairs, landings, and ramps on the rear (tertiary elevation) or inconspicuous side (secondary elevation) locations. If access ramps must be installed in a manner that makes them visible from the public right-of-way, they should be constructed in a manner that makes them as simple and compact as possible and limits their projection from the building.

**Section 11.3** Construct fire exits, stairs, landings, and ramps in such a manner that they do not damage or significantly obscure historical materials and features. Such additions should be designed to be complementary to the architectural style, materials, scale, and function of the historic property.

Chair Plaag read aloud Section 11.1 and noted that the section creates some confusion because of the text that reads “never along an elevation visible from an adjacent street.” He pointed out that about every building along King Street, with the exception of the stretch from roughly this building down the alley, where Ben and Jerry’s are located, most of the other buildings along King Street are generally visible from the tertiary elevation, the rear elevation is visible from an adjacent street.

Chair Plaag said the applicant’s counsel pointed out that the applicant had three options. He said option one is their current proposal, option two is to go out on the west side of their building from the second floor, which will create an opening that does not exist in the second level of that building, and option three is to go out on the east side onto the roof of the building next door that the applicant owns. He noted that the last option could potentially be explored, but it would also create an opening that does not exist in the East elevation of the building. He said this leaves the option that they have proposed.

Chair Plaag explained that, generally speaking, there was more forgiveness of alterations that are made to tertiary elevations, when the impact on the historic material is minimized as best as it can be. He said the applicant is proposing to remove some bricks in order to turn a window into a door, and they are changing the function of that window to a door. He said he would argue that the other possible ways of solving this problem of creating a fire escape from the second level are more intrusive to the building and more destructive to the historic integrity of the building than what is proposed.

Chair Plaag mentioned the cage around the fire escape as a historic element and the fact that it had been removed sometime in the past, he felt that destroyed the integrity of that historic element. He thought the removal of the ladder, as proposed in order to put in the door, does not destroy anything that has any remaining integrity to it; therefore, he did not have any problem with the removal of the ladder from that tertiary elevation. He said a reasonable person could disagree with him on whether it was necessary to

create the fire escape door in the first place. He thought that would be a fair argument to make because the only reason why it is necessary to create that door opening currently, even by code, is because the building owner wants to essentially accomplish two things. He explained it is because they want to put on a second-level deck, and there was mention of the possibility in the future of the second-level space being reworked to allow for a greater occupancy. He thought this was why the applicant was also asking for that second-level floor door fire exit.

Chair Plaag said with all of these things in mind, the HPC had to balance these various standards against one another and balance those standards against all other aspects of the standards and the integrity of this building, essentially allowing for adaptive reuse of this building in a way that is sympathetic to its historicity and its importance to the district.

Chair Plaag said with regard to balance, allowing the conversion of this window to a door is about the least intrusive way that the applicant can create a fire escape that provides for expanded life safety for any use of that second level. He said it also facilitates the proposed addition of the second-level deck.

Chair Plaag felt in the particular case, there was some flexibility within the standards to allow for this limited modification of the brick exterior of the second level on that tertiary elevation.

Chair Plaag asked the other HPC members to give their feedback on the point of extending the window to a door. Student Member Ziegler agreed with the statement that it is the least intrusive option and would hold up the best long term. She noted that it was previously mentioned that one option was for the fire escape to lead to the roof of the other building that the applicant owns, and that could be problematic should the buildings change hands in the future and are owned by different people. She agreed with Chair Plaag's statement that it is not a favorite idea, but it is definitely the least intrusive to the integrity of the building. Member Sharp also agreed with Chair Plaag's statement that it would be the best and least intrusive option. He referred to Appendix D, Section 1.3, regarding complying with code requirements, and he thought making minimal impact seemed to be the solution. He referred to Appendix D, Section 6.4, and thought retaining the proportion of the existing window space preserved it, even though they are extending the arbor in a vertical way. Member Watkins agreed with Chair Plaag's statement that it would be the best and least intrusive option. He said that being sensible about adaptive reuse is helpful. He also agreed with Chair Plaag that this was a prerequisite to making the case for increased occupancy on the second level. Chair Plaag added that the elevation of the building already has some loss of integrity because at least two of the window openings have been bricked in. He thought the building owner before the current owner did a great job of unbreaking windows that are on the west side of this building on the first level of the building which was before the historic district was created.

Chair Plaag talked about the bricked-in windows and thought the current owner might want to explore the possibility of reopening those window openings. He explained that this is not a requirement of this application, it is just a thought for the current property owner to ponder.

Chair Plaag said that the HPC had already discussed the fire escape and the connection of the second-level deck. He said the topics that remain for the HPC to consider are the various changes to the courtyard, the rebuilding of the stairs leading from the deck down into the courtyard, creating the courtyard surface with the pavers set in sand or gravel, installation of new walls to delineate the boundaries of the courtyard for ABC control purposes, regrading of the courtyard area to level out some areas that have eroded over time, and preservation of the existing tree. He noted that the applicant had testified that they wanted to preserve the existing tree. He asked the HPC if they had any concerns or discussion, regarding the proposed changes listed above. There was no other discussion on these proposed changes.

Chair Plaag asked for a motion either for or against the proposal. He suggested that if a motion was being made for approval that the person say that the motion excludes consideration of the appurtenant structure at the rear of the courtyard, which was to the proposed shipping container that is not part of

the motion. He said the motion is also conditional upon the connection method described, which is ledger board and lag bolts passing through mortar joints for connection of the second-level balcony. Ms. Meade added that the motion for approval should say that the proposal is congruent with the historic district standards.

**Motion and Vote:**

Student Member Ziegler made a motion, seconded by Member Sharp, to conditionally approve the connection method described as ledger board and lag bolts passing through the mortar joints for connection of the second-level balcony, and if the connection method cannot be used that the applicant will return to the Historic Preservation Commission. And to approve the following because they are congruous with the historic district: addition to the courtyard, the rebuilding of the stairs leading from the deck down into the courtyard, creating the courtyard surface with the pavers set in sand or gravel, and installation of new walls to delineate the boundaries of the courtyard for ABC control purposes, regrading of the courtyard area to level out some areas that have eroded over time, and preservation of the existing tree. This motion excludes the appurtenant structure described as a shipping container at the rear of the courtyard. And the proposal is congruous with the historic district.

**Vote:**

Aye – (Plaag, Sharp, Ziegler)

Nay – (Watkins)

**The motion passed.**

Member Watkins explained that he voted no for the proposed application because of his initial concerns about the HPC not having an engineering study of the proposed change to review.

Chair Plaag told Ms. Garrett that in this conditional approval, if the connection method cannot be completed the applicant will be required to come back to the HPC for consideration. He also told Ms. Garrett that he would like to continue this hearing.

Discussion ensued on choosing a date to continue the hearing. Chair Plaag said he would normally like to continue this hearing to the next scheduled quasi-judicial hearing date of the HPC on June 13<sup>th</sup>, but he is not able to attend that hearing date. After some further discussion all agreed on June 5<sup>th</sup> at 3 p.m. for the next hearing date.

Chair Plaag said if there was no objection, he would continue the hearing of this case until Monday, June 5, 2023, at 3 p.m., via WebEx. There was no objection from the HPC or staff to continuing the hearing to the said date.

Ms. Garrett had no objection, but she wanted to confirm that the staff was authorized to issue a Certificate of Appropriateness (COA) based on the approval of this application in this hearing. Chair Plaag reiterated that the approval was for a conditional COA.

Ms. Shook asked Chair Plaag to clarify for the applicant and staff what should be expected at the next meeting. Chair Plaag said he would appreciate some clarification on what the Town's position is on the shipping container appurtenant structure and what portion of the standards the staff believes it falls under, the applicant should be prepared to make an argument for the portion of the standards they believe it falls under, and would like for the HPC members to carefully review the Section 13, Addition to Buildings, Section 14, New Construction of Buildings, and Section 1.17, Streetscapes.

Ms. Shook asked Chair Plaag if the HPC was comfortable with a revised staff report, and Chair Plaag responded yes. She noted that the staff had about two weeks to make the changes to the staff report. Chair Plaag and Ms. Shook agreed that June 1<sup>st</sup> was a reasonable timeframe to complete the staff report. There were no objections to the June 1<sup>st</sup> timeframe.

Chair Plaag said that since the next quasi-judicial meeting will be on June 5, he proposed that the HPC continue with their Advisory meeting on June 6th as scheduled. There was no objection to having these back-to-back meetings.

Chair Plaag explained that he had contacted the State Historic Preservation Office (SHPO) for additional clarification on the thin-set brick material discussed at the Watauga County Parking Deck hearing. He said he copied staff on the email. He said he would like to discuss it at the next advisory meeting for possible direction to staff on some actions that they could take to help the HPC better evaluate material for the district. Mr. Dixon asked to receive a copy of the email that Chair Plaag had sent to the staff. Chair Plaag asked Ms. Mitchell to forward that email to Mr. Dixon. Ms. Mitchell said that she could include that email in the Advisory meeting packet so all HPC members are aware of it. Ms. Meade pointed out that the Town Council would need to be involved with any potential UDO revisions.

#### **ADJOURNMENT**

Chair Plaag adjourned the meeting at 2:08 p.m.

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**Eric Plaag, Chair**

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**Marlene Crosby, Board Secretary**



**TOWN OF BOONE  
SPECIAL HISTORIC PRESERVATION COMMISSION  
MEETING MINUTES  
JUNE 5, 2023, 3:00 p.m.  
WebEx Video Conferencing**

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**Historic Preservation Commission Members in Attendance:**

Chair Eric Plaag, Chuck Watkins, and James Sharp

**Student Member:** Riley Ziegler

**Town Staff in Attendance:** Jane Shook-Director of Planning and Inspections, Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner, Darrell Pulliam-Building Inspector, and Marlene Crosby-Board Secretary

**Others in Attendance:** Allison Meade-Town Attorney, Chelsea Garrett-Attorney, Aram and Megan Kevorkian-Applicants, Eric Kevorkian, Bill Dixon and Leigh Blevins-Appalachian Architecture, William Brown, and Jody Feimster

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**Call to Order**

Chair Eric Plaag called the HPC Quasi-Judicial meeting, held via WebEx, on June 5, 2023, to order at 3:06 p.m.

Chair Plaag introduced himself as the Chair of the Historic Preservation Commission and Member Chuck Watkins, Member James Sharp, and Student Member Riley Ziegler.

Chair Plaag introduced the Staff members as Ms. Jessica Mitchell, Long-Range/Special Projects Planner, Ms. Christy Turner, Senior Planner, Ms. Marlene Crosby, Board Secretary, and Ms. Allison Meade, Town Attorney.

**Approval of Minutes**

Chair Plaag requested that the approval of the May 9, 2023 meeting minutes be tabled to the next Historic Preservation Commission Quasi-Judicial meeting. There was no objection from the other HPC members to table these minutes.

**CASE Z06553-032323 – Southend Brewing Co., LLC – COA – Addition and Patio Improvements**

Aram Kevorkian, on behalf of Edakco, LLC (Southend Brewing Co.), has filed an application for a Certificate of Appropriateness for Major Work for 747 W. King St. for an addition and patio improvements on the secondary elevation at the rear of the property. This property is located within the Downtown Boone Local Historic District. (Watauga County PINs 2900-79-8447-000, 2900-79-7377-000, 2900-79-8421-000, 2900-79-7368-000). The COA request includes patio improvements which consists of work to the existing deck and stairs, adding a second level deck and corresponding emergency exits, installing pavers for a patio area, modifying an existing retaining wall, and screening for existing containers on site. The COA request also includes the addition of a storage container as a bar for the principal restaurant use.

Communication: June 5, 2023 Quasi-Judicial Meeting Minutes (Approval of Minutes)

Chair Plaag opened this case and continued from the May 16, 2023, quasi-judicial hearing. He explained that this continuation would address specific aspects of this application that needed to be fully considered at the May 16, 2023, hearing.

Chair Plaag swore in Ms. Turner and Ms. Mitchell.

Chair Plaag asked the Historic Preservation Commission members if any commissioner had a fixed opinion about the case that is not susceptible to change; had any commissioner had a conflict of interest regarding this case, including any financial interest in the outcome of the case or a close familial relationship with any person affected by the outcome of the case. There were no answers in the affirmative.

Chair Plaag asked if any commissioner had engaged in any undisclosed ex-parte communication regarding the application. There were no answers in the affirmative.

Chair Plaag confirmed that Ms. Chelsea Garrett represented the applicant in this hearing; Ms. Garrett replied in the affirmative.

Chair Plaag asked Ms. Garrett if she objected to the revised staff report and the original and additional materials submitted by the applicant in the meeting packet regarding this case. Ms. Garrett said she did not have an objection to the information.

Chair Plaag opened the floor for Ms. Garrett to provide an opening statement. As stated in the application, Ms. Garrett explained that the goal for this meeting was to request approval for a patio bar. She said the proposal is to place the patio bar next to the previously approved patio area. She said the proposed location of the patio bar was in the tertiary elevation at the back or south side of the building that faces Howard Street. She mentioned the issue encountered at the last hearing was that no language in Appendix D specifically addresses a shipping container building of this type being used as a patio bar.

Ms. Garrett said that Mr. Aram Kevorkian and Ms. Megan Kevorkian had reviewed what they thought were the applicable standards for this proposal with Mr. Bill Dixon, Architect on the project. She referenced Appendix D, Sections 1.17 and 5, which discuss accessory buildings.

**Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, 1. Streetscapes**

**Section 1.17** New accessory structures should be complementary to the scale, form, materials, and details of surrounding historic buildings but built so that they do not convey a false sense of historical association. New structures should be located at the rear of historic properties so they do not intrude upon the historic streetscape.

**Section 5.2** Construct new garages and accessory buildings that are compatible with historic Outbuildings in the District in terms of roof form, materials, size, scale proportion, and architectural details.

**Section 5.6** It is inappropriate to introduce features and details to an outbuilding that will create a false sense of historical development. For example, it would be inappropriate to add Art Deco features using historical materials to a newly constructed accessory

building, as doing so might inappropriately suggest that the accessory building was constructed during the 1930s.

Ms. Garrett noted that the reference to accessory is distinct from the Unified Development Ordinance, which talks about accessory buildings only in the context of a dwelling unit which is not applicable. It is not as limited in Appendix D. She spoke of two other options the applicant had considered for the patio bar; the options were to view the patio bar as a new addition to a historic structure or as new construction. She said the proposal does not fit into the provisions of Appendix D, and that much of the discussion on new construction and additions referred to the building being visible from the secondary or primary elevations. She realized that the shipping container was a unique building. She said discussing whether the shipping container is temporary or permanent is relevant. She found it challenging to consider the shipping container as new construction as you would if it was a brand-new building because the shipping container is not being built. She added that the shipping container would be brought in and could be taken out. She said the shipping container would not allow restaurant patrons inside it, nor would it have facilities, and it would be seasonal. She said she felt it would be considered an accessory use for these reasons. She noted that the applicant had provided a specific proposal and options for the HPC to review.

Chair Plaag asked the staff to give a specific statement beyond what is stated in the staff report to explain the Town's position for this case to whether they thought it was new construction, an addition, or an accessory building both in terms of the UDO as it applies to the B1 Downtown-Core and also as Appendix D applies to the historic District.

Ms. Turner responded that staff had discussed the shipping container, and they believed that it is not an accessory structure because it would have electrical and plumbing underneath the structure to facilitate the bar operations within the structure. She explained that there are some conflicting points within Appendix D and the UDO on the use of materials. She pointed out that Appendix D does not specifically talk about wood. She said in UDO Article 14 that the text does not list wood as an allowed material, so if a material is not listed, it is prohibited under those two sections.

Ms. Allison Meade, Town Attorney, asked Ms. Turner to explain the connection between staff concluding the shipping container not to be an accessory structure and having electricity and plumbing. Ms. Turner said staff thought since the shipping container would have electricity and plumbing underneath, it would make it a more permanent structure. Ms. Meade interjected that what Ms. Turner just described was conflating temporary versus fixed with accessory. She agreed with Ms. Turner that, from a legal perspective, the shipping container is fixed because it has utilities. She said that the accessory structure needs more explanation. She pointed out that the basic shed or garage, with or without electrical service, would have called it an accessory structure. She noted that Ms. Garrett had pointed out that the shipping container is not an accessory dwelling. Ms. Meade did not understand why the staff did not think it was an accessory structure.

Ms. Meade referred to Appendix D, Section 1.17:

**Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, 1. Streetscapes**

**Section 1.17** New accessory structures should be complementary to the scale, form, materials, and details of surrounding historic buildings but built in such a way that they do not

convey a false sense of historical association. New structures should be located at the rear of historic properties so they do not intrude upon the historic streetscape.

Ms. Turner said someone could look at that section and consider it as an accessory structure. She added that there are no setbacks for either an accessory structure or a primary structure in the B-1 District. She pointed out that there are other differences in the other zoning districts; for instance, she said in the R-1 District, for an accessory shed, the setback would be seven feet from the property line as opposed to 14 feet from the property line.

Ms. Meade stated there needed to be more clarity on the topic of the accessory structure. She thought the HPC should consider “accessory” for the rest of the UDO and “accessory” for Appendix D and the historic district standards.

Ms. Meade reiterated what Ms. Turner had said that the accessory building within the UDO does not create an issue because there is no setback issue. In her view, she thought what mattered was the term “accessory” within Appendix D. She explained that her understanding was the proposed shipping container was new construction and an accessory structure that is permanently affixed. She wanted to know if the applicant disagreed with anything she pointed out. She suggested that the HPC review new construction and accessory within the meaning of Appendix D to see which standards to apply. She said some standards may not apply; however, it is new construction of an accessory structure, and there may need to be some give and take between certain standards.

Chair Plaag asked Ms. Garrett if she had any comments on what Ms. Meade just stated. Ms. Garrett agreed that once the shipping container was put on the concrete slab it would be fixed once electricity and plumbing were added to it. She used the example of a mobile home, when they become fixtures compared to when they stay a vehicle. She used this example to explain when the shipping container would be less fixed than her example. She said the applicant believed the shipping container was a new accessory structure. She said if the HPC is willing to agree with what Ms. Meade stated and give some flexibility, the applicant would agree with Ms. Meade as well.

Chair Plaag told Ms. Garrett that he urged caution in her comparing the shipping container to a mobile home because a mobile home would not be allowed in the historic district. However, Chair Plaag said he understood Ms. Garrett was not saying the shipping container was like a mobile home. Ms. Garrett confirmed with Chair Plaag that she used the mobile home term as an analogy. Ms. Meade added that if anyone were thinking about wanting to use supposedly non-fixed buildings to get around the standards, it would not work. In her view, she stated it would be relevant to the interpretation of the standards.

Chair Plaag asked Ms. Turner if staff had other comments about the accessory structure or new construction. Ms. Turner did not have other comments on the said topics.

Chair Plaag swore in Mr. Bill Dixon, Mr. Aram Kevorkian, and Ms. Megan Kevorkian.

Ms. Garrett asked Mr. Dixon to describe the proposed design for the patio bar. Mr. Dixon referred to packet page 53 and explained that the applicant proposed to screen the outdoor patio bar with a similar screening as they would for the dumpster and grease container enclosure. He said the screening would

be taller than the dumpster and grease container enclosures and extend four or five feet beyond the enclosure. From Howard Street, he said that looking at the proposed project, people would see a series of screened walls hiding the patio bar and dumpster and grease container closures. Ms. Garrett confirmed with Mr. Dixon that the proposal was to screen the patio bar and not to clad the patio bar. She added that the patio bar would remain metal and not be covered. She confirmed with Mr. Dixon that the view from the patio area and the restaurant would be of the shipping container.

Ms. Garrett asked Mr. Dixon to describe the view from the patio area. Mr. Dixon referred to packet page 54, and he explained that there would be a service opening in the shipping container for patrons facing the tertiary elevation of the building that would not be visible from Howard Street. The service opening would have two full-length doors cut from the container. It would open to provide an approximate six to eight-foot opening, a movable bar top that can be pulled down for service and pulled up for entry of staff, and staff would enter the container on the tertiary side of the container that would be to the left and hidden from view due to the wooden dumpster enclosure. Ms. Garrett confirmed that there would not be an awning on the container.

Ms. Garrett pointed out in UDO Article 14, Section 4, Material List. She asked if that list of materials was incorporated by reference into Appendix D. Mr. Dixon said the UDO list of materials was referred to in Appendix D. Ms. Garrett asked Mr. Dixon if that list of materials talked about metal, and Mr. Dixon replied yes, as in allowable trim material. Ms. Garrett confirmed with Mr. Dixon that metal was not an allowable field material. Ms. Garrett asked if there was an exception for the metal in Article 14, and Mr. Dixon replied yes and read aloud from the UDO Subsection 14.19.06 (H)(4)(b)(iv), regarding exceptions to prohibited materials. Ms. Garrett asked Mr. Dixon if there was metal on the building, and he replied there were miscellaneous metals on the building in downspouts, gutters, patio roofing, and eaves.

Mr. Dixon explained that one of the reasons that the applicant picked out a wooden screening enclosure was because it was a similar material with a board and batten type finish that was previously approved by the HPC and installed on the old Wilcox Emporium building. Chair Plaag pointed out to Ms. Garrett that he was somewhat uncomfortable with Mr. Dixon spending a lot of time on the UDO requirements because they are outside the purview of the HPC. He asked Ms. Garrett to focus on the historic district standards. Ms. Garrett acknowledged Chair Plaag's comment, and stated that she only intended to point out that the applicant acknowledged the fact that they would not be constructing the face of a new building with metal, which is more of a trend type of use.

Ms. Garrett asked Ms. Kevorkian to discuss the standards supporting the shipping container's compatibility with the historic district. Ms. Kevorkian referred to Appendix D. Section 1.17. She thought this section was supportive because it was about the accessory and new structures. She added that with the patio bar that they are proposing, they are not in any way trying to make it appear historic. She was looking at the patio bar as an accessory structure that they could obscure, and it is in no way competing with the historic building's scale, form, and materials.

Ms. Kevorkian referred to packet page 51 and Figure 1. She stated that from the view from Howard Street, it is difficult to see where the container bar would be because of the existing dumpster enclosure, and added that the proposed enclosure would be about another four to five feet from the existing dumpster enclosure.

Ms. Kevorkian read Appendix D, Sections 5.2, 5.3, and 5.6:

**Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, 1. Streetscapes**

**5. Garages and Accessory Buildings**

**Section 5.1** Original structures should be retained and preserved if at all possible.

**Section 5.2** Construct new garages and accessory buildings that are compatible with Historic outbuildings in the District in terms of roof form, materials, size, scale, proportion, and architectural details.

**Section 5.3** Garages and outbuildings for residential properties should ALWAYS be located to the rear or side yards and in traditional locations in relation to the main residential building.

**Section 5.4** If it is necessary to replace a historic outbuilding, replace it with a design based on documentary evidence of the original outbuilding, or with a new design similar in form, scale, size, materials and detail as other buildings in the District. Design and construction of the new structure shall be in proportion with other outbuildings of its type within the District.

**Section 5.5** It is inappropriate to introduce gazebos adjacent to primary or secondary elevations without documentary evidence to support their existence in the District during the period of significance. If constructed adjacent to the tertiary elevation, gazebos should not be visible from the public right-of-way and must meet the other standards for outbuildings and accessory buildings.

**Section 5.6** It is inappropriate to introduce features and details to an outbuilding that will create a false sense of historic development. For example, it would be inappropriate to add Art Deco features using historic materials to a newly constructed accessory building, as doing so might inappropriately suggest that the accessory building was constructed during the 1930s.

**Section 5.7** Consult the Town of Boone UDO for setback requirements and lot coverage limitations for all accessory buildings. As a general rule, no accessory building may be further forward to the street setback line than the front-most point of the principal building.

Ms. Kevorkian noted that taking the false sense of development into mind, she and Mr. Kevorkian were concerned with cladding the container in brick, stone, or stucco because it would draw more attention to the new construction or accessory structure, whichever name is used to describe it. She said if a fence were put around it, it would blend nicely because it is close to the dumpster enclosure, and it would not compete with the original brick or take away the focus of the historic building.

Ms. Garrett mentioned the following UDO Subsections in reference to support Ms. Kevorkian's presentation, UDO Subsection Article 15.50.01 [Outdoor Storage (Accessory)], and UDO Subsection Article 31.06.05 [Loading Docks, Screening of Solid Waste and Recycling Container Areas, Outdoor Storage Areas, Utility Structures, and Rainwater Harvesting Systems].

Ms. Kevorkian referred to Appendix D, Section 12 for Additions to Existing Buildings in the District in which this section is from the Residential Properties section, she clarified her references to be from Appendix, D, Section 13, Additions to Existing Buildings in the District, from the Commercial Properties section. Ms. Kevorkian referenced Sections 13.1 – 13.3:

**Additions to Existing Buildings in the District**



**Section 13.1** New additions should be compatible with the original building in scale, placement, proportion, and design, including roof shape, materials, color, location, and design of windows and doors, cornice heights, and other design elements. Synthetic, non-traditional materials are not permitted in alterations to existing buildings, and the use of the highest-quality, historically appropriate, exterior-facing materials is encouraged.

**Section 13.2** New additions should NOT imitate an earlier historical style or architectural period. Still, they also should not differ from the earlier historical style so much as to be a distraction from or incompatible with the historic design.

Ms. Kevorkian said she and Mr. Kevorkian would in no way want to cause permanent damage to the building or take away from the historicity of the building. She noted that the shipping container and the dumpster are not historic.

**Section 13.3** Additions should be differentiated from the original by the use of setbacks or other devices. Additions should be located to the rear (tertiary elevation) or in an inconspicuous location on the side (secondary elevation) of the original building. They should never be attached to the front of the historic property. Additions such as rooftop penthouses or additional stories should NOT be constructed unless there is documented historical evidence (such as the prior removal of a similar historic feature) to justify the change.

Ms. Kevorkian said she and Mr. Kevorkian would not want to make the shipping container look historical or a permanent distraction or destruction to the building. She added that they are proposing to obscure it similarly as defined in the guidelines for dumpster enclosures.

Chair Plaag asked Ms. Garrett if it was their argument that what was proposed was an addition to an existing building or was it their intention to enumerate the ways that it meets the standards for an existing building. Ms. Kevorkian responded that she was trying to enumerate the ways that it meets the standards for an existing building. Chair Plaag asked Ms. Kevorkian if she was claiming the proposal was an addition or addressing it just in case the conclusion was that it is an addition to an existing building. He told Ms. Kevorkian it would later help the HPC to know which argument she was making. Ms. Garrett added that they did not want to fully commit to saying it is or is not. She said the standards do not specifically state that an addition is attached. She said the shipping container was more like a new stand-alone structure; further stating, as it is an outbuilding and accessory building, therefore, it would be new construction. In their deliberations of this case, she asked that the HPC be open to other sections of Appendix D to see if there was a fairer approach because she felt that new construction had more difficult standards. She said the shipping container was seasonal and would have electrical and plumbing. She also noted the features of the shipping container were something other than a new construction building in a more traditional sense. She agreed that the applicant thought it was an accessory for new construction. She asked that the HPC try to be flexible in their interpretation because the text in Article 13 may help with it.

Ms. Meade said from her point of view, it is not about the HPC being flexible in their interpretations, but about the HPC exercising discretion and serving the principals and intent behind the standards. Chair Plaag added that the standards are important and help guide the HPC to make decisions, but it comes down to the question of congruity of what is proposed with the District as a whole.

Ms. Garrett agreed with Ms. Meade and Chair Plaag about the HPC using discretion and serving the intent behind the standards.

Ms. Garrett asked Ms. Kevorkian to go over Section 14 New Construction, and referenced specifically Sections 14.1.

#### **New Construction of Commercial Buildings within the District**

**Section 14.1** New commercial construction within the District should refrain from seeking to duplicate historic buildings in the District or mimic their appearance. That said, new construction should strive to be sensitive to and compatible with the character-defining features of the commercial properties in the District. Thus, new construction should employ an architectural design that reflects its current time, place, use, and culture, provided that this design is compatible with the character of the District.

Ms. Kevorkian said she and Mr. Kevorkian knew that what they had proposed had not been a part of the Town's history: a patio bar in a shipping container on the tertiary elevation of a building. She said the code allows new construction and modern times to infiltrate the Downtown Core appropriately. She and Mr. Kevorkian do not want to give a false sense that the shipping container is old. She said if it were clad in brick, it would look older. She said if it were clad in stucco or stone, it would be like they were trying to replicate the past, but they are not trying to do that to the shipping container. She was sensitive to the appearance of the rest of the tertiary elevation. She said because they want to enclose the dumpster, they have the opportunity to extend the height of the enclosure so the roof cannot be seen, which makes it so they do not have to put a secondary roof which would block the view even more.

Chair Plaag said there used to be a building near the proposed project called the "Boone Recreational Parlor." It was built in the 1920s as a bowling alley with two lanes inside it. He said the entire exterior of the building was clad in tin. He said with that in mind, knowing that a building in the District was clad in metal, that it may not have been meant to stay there forever, and yet is one of the oldest buildings in the downtown district. He asked Ms. Kevorkian if she knew about that building and how that would have changed her argument for the suitability of the materials being proposed for the shipping container.

Ms. Garrett responded to Chair Plaag's question about how the applicant might have changed their argument based on the exterior material of the Boone Recreational Parlor building. She referred to Appendix D. Section 5.4 and stated they are not replacing a historic outbuilding. Still, she continued that it does reference designing based on documentary evidence of the original outbuilding or with a new design similar in form, scale, size, materials, and details to other buildings in the District. She talked about how the proposed building would have similar materials to the Boone Recreational Parlor building. She said it would be design and construction would be in proportion with other outbuildings of its type in the District.

Ms. Garrett referred to Appendix D. Section 14 and stated that she did not think that a shipping container would attempt to duplicate a historic building because it is not a tin that is being clad over it. She felt the new construction strives to be compatible with defining features of commercial properties within the District. She said it is not a contemporary substitute material.

Chair Plaag explained that going by the standards, we have a building in the District clad in metal. He said it was meant to be temporary even though it had been there for a long time, and it was an independent building.

Chair Plaag explained that part of what he was concerned about, given the circumstances of the proposal, was the applicant's efforts to screen it from view from Howards Street, and the intent to make this a private accessory building, he thought it took on a different character than it might in other circumstances. He said the reason he asked this question was because he wanted to know how the details fit with the intent of the standards.

Chair Plaag stated that he appreciated Ms. Kevorkian reviewing the brick and wood materials for the dumpster enclosure and the shipping container. He stated her explanation of all of the materials mentioned may have been acceptable with the standards depending on the design of the architecture. He explained that some of the features would make a building look of its time yet be compatible with the district. He said using these materials and features is alright for the applicant to propose. He said it is finding that difficult place to make the design different enough but not so different that it is a glaring distraction.

Chair Plaag asked Ms. Garrett if the applicant had more information to present. Ms. Garrett replied that the applicant did not have more information to present.

Chair Plaag asked the HPC if they had questions or concerns to discuss. Member Watkins reiterated his concern: he felt that the HPC was being asked to approve a hypothetical design with no rendering showing the final appearance of the shipping container. He asked Mr. and Ms. Kevorkian since utilities was being installed and a foundation would be prepared even if it is just gravel, why did they not choose to build a small building instead of a shipping container?

Ms. Garrett responded to Member Watkin's statement about not being provided with a rendering of the final appearance of the shipping container. She said a rendering was submitted, and it was in the original meeting packet and on packet page 48 of the current meeting packet. Chair Plaag pointed out a conceptual rendering on packet page 49 that showed the shipping container and the screening. Ms. Meade pointed out another rendering on packet page 53 that showed the fencing at the back of the shipping container. After reviewing the stated renderings, Member Watkins said he saw a shipping container in the renderings. Ms. Garrett confirmed with Member Watkins that a shipping container was what the applicant proposed to put on the site that would be screened with wood. Ms. Garrett also pointed out the rendering of the side of the shipping container where the patrons would order their food and drink.

Member Watkins said a small building could be built in the space where the applicant was proposing to put the shipping container. He confirmed with Ms. Garrett that the applicant wanted the appearance of the shipping container. Ms. Garrett said that the shipping container would be recognizable from the bar side. She explained that the applicant was trying to obscure the shipping container from any public view by surrounding it with the wooden fence, essentially an extension of the dumpster enclosure fence. She stated that you could tell it was a storage container, but it would be private and only visible as a shipping container from the restaurant's backyard. Member Watkins asked Ms. Garrett about other buildings with metal components. Ms. Garrett said that Mr. Dixon had noted that this building had metal trim components around the deck. Member Watkins asked Ms. Garrett if the applicant was aware of other shipping containers in the Historic District. Ms. Garrett replied no, and Chair Plaag mentioned the Boone Recreational Parlor having metal components.

Chair Plaag asked Ms. Garrett if she had completed the testimony phase of the hearing for this case, and she replied yes. She stated that for any reason, the concealing of the shipping container is found less attractive to the HPC than cladding it, she thought the applicant would be willing to consider it, and she asked the HPC to ask the applicant about it rather than disapprove the proposal because of the concealing it versus cladding it. She noted that the applicant felt the use of the shipping container made it uniquely appropriate for the courtyard space, a great addition to the patio area, and it would not impact the public view of the historic structure.

Ms. Meade added two things to the HPC's consideration of this application. She said the HPC's decisions are not precedential, which is crucial because every case is specific to the site and circumstances. She said the limitations, in this case, are important for what the applicant seeks to do with the size and the site's space. She pointed out that this type of structure was a modern technology that could present challenges for the HPC.

Chair Plaag asked staff if they had other evidence to present on this application; Ms. Turner replied no, and that staff was open to questions.

Chair Plaag asked the HPC if they had other questions for the applicant or staff. In Ms. Turner's opening statement, he pointed out some questions about the Town's position on what was proposed, and some of those questions have already been addressed by Ms. Meade.

Chair Plaag asked Ms. Turner if the wood was acceptable in the Historic District. He explained that it is not the HPC's purview to make judgments based on the requirements of the B-1 Downtown Core. He said the HPC is bound by the historic district standards. He continued that there might be some issues with what is proposed where the HPC issues a Certificate of Appropriateness (COA) that approves something, but what is approved in that COA does not meet the B1-Downtown Core requirements. He added that if the applicant wanted to pursue those requirements, they could go to the Board of Adjustment on that particular issue. Ms. Turner said that Appendix D trumps the UDO in any COA case. She added that she did not see the UDO being an issue in this case.

Ms. Jane Shook joined the meeting at approximately 4:24 p.m. Chair Plaag swore in Ms. Shook.

Ms. Shook clarified why the standards were in the staff report. She explained that the standards in Appendix D supersede where they conflict or if it is not clear there is a conflict, and where the standards are vague, the staff included those standards for the HPC to discuss.

Chair Plaag asked if there were other questions for staff on the position of the Town on the standards.

Chair Plaag asked if there was any other interested party to speak or present evidence supporting the application; if there was any non-party witness to speak or present evidence supporting the application; if there was any interested party to speak or present evidence in opposition to the application; if there was any non-party witness to speak or present evidence in opposition to the application. There were no answers in the affirmative.

Chair Plaag asked Ms. Garrett if the applicant wished to rebut the presented Town evidence, and Ms. Garrett replied that she had no rebuttal to present.

Chair Plaag asked Ms. Garrett if she had a closing statement to present or if she wished to defer until the staff made their closing statement. Ms. Garrett stated that the applicant would like to defer until after the staff gave their closing statement. Chair Plaag asked Ms. Turner if the staff had a closing statement to present, and Ms. Turner replied that the staff had no closing statement.

In closing, Ms. Garrett stated that the applicant thought the proposed patio area and patio bar addition would be a contemporary, unique, attractive use for the tertiary elevation of this property. She confirmed that the proposed shipping container and patio area would not be visible from the public view except to the restaurant's patrons. She thought the shipping container being reused for the patio bar was modern and creative. She said the dimensions of the shipping container are not different than if it was built from brick or wood. She asked the HPC to consider the shipping container to be compatible and that it does not impact the historic District. She noted that Ms. Meade had stated that no precedent was being set with the shipping container proposal. She felt approving a shipping container would not be an issue for other property owners wanting to add them to their properties. She thanked the HPC for their time in this manner and asked them to approve the proposed application.

Chair Plaag closed the testimony phase of the hearing.

Chair Plaag opened the floor for the HPC to discuss the evidence at hand, he reminded the HPC to limit their discussion to the proposal and its relationship to the standards applicable to the case. Member Sharp considered the proposal to be new construction of an accessory use. He referred to Appendix D:

**Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, 1. Streetscapes**

**5. Garages and Accessory Buildings**

**Section 5.1** Original structures should be retained and preserved if at all possible.

**Section 5.2** Construct new garages and accessory buildings that are compatible with historic outbuildings in the District in terms of roof form, materials, size, scale, proportion, and architectural details.

**Section 5.3** Garages and outbuildings for residential properties should ALWAYS be located to the rear or side yards and in traditional locations in relation to the main residential building.

**Section 5.4** If it is necessary to replace a historic outbuilding, replace it with a design based on documentary evidence of the original outbuilding, or with a new design similar in form, scale, size, materials and detail as other buildings in the District. Design and construction of the new structure shall be in proportion with other outbuildings of its type within the District.

**Section 5.5** It is inappropriate to introduce gazebos adjacent to primary or secondary elevations without documentary evidence to support their existence in the District during the period of significance. If constructed adjacent to the tertiary elevation, gazebos should not be visible from the public right-of-way and must meet the other standards for outbuildings and accessory buildings.

**Section 5.6** It is inappropriate to introduce features and details to an outbuilding that will create a false sense of historic development. For example, it would be inappropriate to add Art Deco features using historic materials to a newly constructed accessory building, as doing so might inappropriately suggest that the accessory building was constructed during the 1930s.

**Section 5.7** Consult the Town of Boone UDO for setback requirements and lot coverage limitations for all accessory buildings. As a general rule, no accessory building may be further forward to the street setback line than the front-most point of the principal building.

Member Sharp noted that he agreed with Ms. Meade's statement regarding not setting a precedent in the District and asked if what she stated was in conflict with Section 5.2.

Member Watkins still thought that the HPC knew very little about the shipping container's appearance, including its color, even from the renderings that the applicant provided. He referred to the conceptual images for the proposed shipping container bar with wood-clad options that were submitted. He added that he learned in this hearing that the wood was to screen the building and not clad the building. Chair Plaag pointed out that the meeting packet for this hearing contains a number of revisions that were originally submitted. He said one of the proposed changes by the applicant was to abandon the wood cladding of the shipping container because Ms. Kevorkian was concerned that the wood cladding would make the shipping container look too much like a historic building. He said the applicant thought a way around this was to propose the removal of the wood cladding and use the wood screening to deal with the issue of it being visible from the public view from Howard Street.

Chair Plaag talked about certain buildings and materials that are visible in a secondary elevation from an adjoining street. He said that after further consideration, the Town had taken the position that, in this particular case that this is a tertiary elevation, and that particular standard would not apply to it. Ms. Shook clarified that it is not just on this application. She felt that the way the standards were written, the secondary elevation definition could have been applied; however, she continued that based on the use of the terms throughout the standards, this application would be a tertiary elevation. Member Watkins said that he had read those changes and understood what Ms. Shook stated about them.

Member Watkins stated that the HPC was not being asked to approve building materials but to approve a shipping container as a building surrounded by fencing. He said it is still a shipping container and questioned if it is appropriate to have it in the historic district.

Chair Plaag pointed out that one challenge for this case was that all over the Downtown area, there are dumpsters, some of them in scale, but they are identical in material to the shipping container. He explained that, in his view, it is a weird problem to have dumpsters with the same material being proposed for a shipping container to be used as a patio bar. He added that he needed to determine the right decision for this proposal. He stated that he partially agreed with Member Watkins about a shipping container does not belong in the historic District.

Chair Plaag continued his statement and described the shipping container as a seasonal structure that the applicant is willing to put up a wooden fence so it is not visible. He said with the crafty approach that the applicant used, has him second guessing what the shipping container was because it is seasonal and not heated or cooled as a building would be. He said it is similar to a garden shed with maybe electrical and not meant to be habitual year around. He noted that these types of structures are in the Charleston, South



Carolina, area adjacent to buildings and used as outdoor bars. He concluded that his point was that shipping containers were not new because they are being used in historic districts in other locations.

Member Watkins asked Chair Plaag to confirm that shipping containers are being used as outbuildings in the Charleston historic district. Chair Plaag noted that he would have to check the Charleston historic district's boundaries to ensure the said outbuildings are being used there. He said they are in courtyard areas and screened behind the buildings. Member Watkins said in that case, he agreed to have a shipping container in the Boone historic district. Student Member Ziegler said she thought the Asheville, North Carolina, historic district does the same thing with shipping containers and a bus that is being used as a restaurant and is screened.

Ms. Meade added that the HPC could look at this type of shipping container as extending and preserving the economic viability of a historic district. She said that if a historic district does not have ways to modernize, grow, and meet economic needs, it starts putting large pressure on itself to demolish buildings. She saw this as a way to get more economic utility out of current buildings without destroying them. She said, in her view, this is all for the good of a historic district.

Student Member Ziegler stated that, as the applicant pointed out, the shipping container does not impact the patio area. She continued that it could be removed if it became a future problem if other property owners wanted to start proposing other shipping containers in the Historic District.

Member Sharp stated that adding the proposed patio bar would add to the activation of what was a dead space. He stated that this proposal is not creating a new storefront seeking to attract pedestrians or motorists from the tertiary elevation of the building. He supported this proposal because of its internal function and being screened from the public view.

Member Watkins said he understood the applicant and what they are trying to do by extending the business into the courtyard in the back of the building. He said he did not have a problem with that part. He stated that if the HPC was willing to accept a shipping container into the historic district, the HPC does not have much control over the historic district. He added that if the majority loved the idea of the shipping container, he could love it too.

Chair Plaag said that he took Ms. Meade's point that this proposal would not be precedential. He said if this proposal is something that the HPC is inclined to approve, it does not mean that the HPC has to approve it on a subsequent case. He said if it turns out that the HPC or a large percentage of the town does not like it, the HPC will hear the concerns. He added that it is also possible that the applicant might use the shipping container for a couple of years and decide to keep it year-round or remove it.

Chair Plaag noted that the HPC does not regulate color. However, he suggested that the applicant use a color that would blend into its surroundings as opposed to standing out in its surroundings. He stated that the HPC could not impose the color choice as a condition, but it would go a long way in making the community more welcoming of this experimental form as a new accessory structure.

Chair Plaag asked if there were other concerns or questions of the HPC, and hearing none, he moved on to the motion and vote for this case. He asked for the HPC, when they are crafting their motion to refer to the specific standards that they believe justify the motion for or against what is proposed. He also

encouraged the motion to include a statement that indicates that this motion is specifically in relation to the proposed outdoor shipping container accessory building and that it does not address or affect any of the other components of this case that the HPC has already heard.

Chair Plaag asked if there was any disagreement that the proposal was not an addition to an existing historic building. The HPC agreed that the proposal was not an addition to an existing historic building. Chair Plaag referred to Appendix D Section 13 and noted that this section would not apply to the proposal. He said the HPC seemed to agree that the following standards that support this proposal were Appendix D Section 14, New Construction of Commercial Buildings with the District, and Sections 1 and 5 of the Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, Streetscapes.

Chair Plaag asked if there were other concerns or questions of the HPC, and hearing none, he moved on to the motion and vote for this case.

#### **Motion and Vote:**

Member James made a motion, seconded by Student Member Ziegler, to approve the request for the accessory storage container structure to be constructed at the rear of the property supported by Appendix D Sections 1, particularly 1.17, Section 5, particularly 5.6 and Section 14 for New Construction. This proposed motion has no impact on the earlier conditioned approval on separate aspects of this COA case, and includes the following conditions:

- Where there is a conflict between the application information and the plans (initial submittal on April 26, 2023 and revised submittal May 20, 2023)), the plans control. Insignificant deviations may be permitted to comply with the requirements of the UDO.
- Any commitments and representations concerning the proposed exterior modification made by the applicant or its (his or her) representatives at the public hearing shall also become a condition of the permit and a basis for a stop work order and/or permit revocation if violated.
- The applicant shall submit the necessary applications, plans, details, and specifications which meet the requirements of the Town Code, UDO, Building Code, and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

**Vote:** Aye – All

Nay – None

**The motion passed.**

Chair Plaag recapped that the COA approval was for a shipping container with the screening described in the meeting packet. He said the shipping container would be screened, so it would not be visible from Howard Street. He encouraged the applicant to use paint color that would blend into the historic District. Ms. Garrett confirmed with Chair Plaag that he was referring to the container itself and not the wood on the paint color.

Chair Plaag asked Ms. Meade if the motion for approval should include that the shipping container proposal was congruous with the special character of the historic District. Ms. Meade said yes, the motion should have whether the proposal is congruous or incongruous with the Historic District.

Chair Plaag asked Member Sharp to amend the motion to include the proposal was congruent with the special character of the historic District. Member Sharp amended the motion to include that the proposal is congruous with the Historic District. Student Member Ziegler accepted this amendment to the motion. Chair Plaag asked the HPC to vote again on the amendment to the motion.

**Vote:** Aye – All

Nay – None

**The motion passed.**

Ms. Meade asked if the HPC and the applicant needed to further discuss paint color. Chair Plaag noted that the HPC does not regulate color. Therefore, he didn't know if the HPC could impose any color on the applicant. Ms. Meade said the HPC could prohibit neon colors. Ms. Garrett said the applicant did not have an issue considering a range of colors to be used. She said the applicant intends to use a color that makes it blend into its surroundings. Ms. Kevorkian stated that she was looking at using gray or earth-tone colors. Ms. Garrett asked the HPC to tell the applicant if they had a strong suggestion for color. Chair Plaag replied that neon or other colors, such as burnt orange or fire engine red, would not be acceptable under the UDO standards. He agreed that grays or earth-tone colors would be a more appropriate paint color for this type of proposal. He added that painting letters on the top of the shipping container that can be read from the air would probably not be accepted.

Ms. Garrett asked Ms. Turner to clarify the use of deck flooring from a previous discussion with the applicant. Ms. Turner explained that the applicant had discussed with her if the deck's flooring needed to be actual wood or if it could be a Trex board. Ms. Turner explained that this type of board would last longer and that the applicant wanted to use these as the boards to walk on. She said that she did not see in the UDO or Appendix D where this type of board was an acceptable building material. She asked the applicant to ask the HPC about using the Trex board. Chair Plaag pointed out that he was uncomfortable discussing the Trex board without seeing how it would be attached to the building. He said that he would have preferred that the proposal had been described in the meeting packet for the HPC's consideration.

Chair Plaag talked about the 828 Real Estate COA case and how the back of that building involved a Trex-like board placed on a dropped-down grid that was not visible from secondary elevations or attached to the roof of the building. It could only be viewed if you were standing on the deck of the building. He said it was approved by the HPC because it was not affecting any part of the structure of the building. He said this case was an example of how the HPC had acted on using the trex board in the past.

Chair Plaag said he was open to continuing this hearing if the applicant wanted to continue discussing it. Ms. Garrett said the applicant is not bringing up the trex board because they felt like they needed to, they just wanted to be cautious and make sure that they get it right. She asked Chair Plaag does the trex board need to be considered by the HPC if it is visible only if you are standing on it.

Ms. Meade responded that it was her opinion that the Trex board was not a consideration for the HPC because it had nothing to do with what you could see of the building, was not attached, and did not disturb the historic building. She stated that there was a limit to the HPC's jurisdiction regarding additions of this type. She said this is not clear cut, and an argument could be made either way. She also stated that when the deck system and the patio are clearly an add-on and not part of the historic district that at some point, it would need to be discussed administratively.

Chair Plaag added that since this is a brand new topic for the HPC to consider, he would need to research the minor and major distinctions and whether this would fall into something that the HPC would need to consider. Ms. Meade said that she had not been asked to give an opinion on the deck flooring, and in her view, this type of thing should have come to her first before it went to the HPC for their consideration just for the consistent application of the standards.

Chair Plaag told the applicant that the HPC did not respond to the deck flooring topic like they wanted it to, but he hoped the applicant understood why the HPC could not respond at this time. Ms. Garrett responded that she did not know how the deck flooring topic would be discussed, so she brought it up for the HPC's consideration. Ms. Garrett said there was an opportunity for staff to stop the applicant if the way the deck flooring was applied appeared to be visible; then, the applicant could bring the deck flooring topic back to the HPC for further discussion. Chair Plaag asked Ms. Meade if she approved what Ms. Garrett suggested to handle the deck flooring, and Ms. Meade replied yes. Chair Plaag asked Ms. Turner if she understood what Ms. Garrett suggested about the deck flooring, and Ms. Turner replied yes.

With no further discussion, Chair Plaag closed this case.

#### **Adjournment**

Student Member Ziegler made a motion, seconded by Member Watkins, to adjourn the meeting at 5:09 p.m.

**Vote:** Aye – All

Nay – None

**The motion passed.**

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Eric Plaag, Chair

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Marlene Crosby, Board Secretary

**TOWN OF BOONE  
HISTORIC PRESERVATION COMMISSION  
MEETING MINUTES  
JUNE 6, 2023, 3:00 p.m.  
WebEx Video Conferencing**

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**Historic Preservation Commission Members in Attendance:**

Chair Erick Plaag, 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:** Jodie Feimster

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**CALL TO ORDER**

Chair Plaag called the Boone Historic Preservation Commission meeting via WebEx to order at 3:02 p.m.

**ADOPTION OF AGENDA**

Member Sharp made a motion, seconded by Student Member Riley, to adopt the agenda as written.

**Vote:** Aye – All  
Nay – None  
**The motion passed.**

**APPROVAL OF MINUTES**

Chair Plaag requested to table the approval of April 12, 2023 CLG meeting minutes and the May 2, 2023, Advisory meeting minutes until the next advisory meeting.

**Vote:** Aye – All  
Nay – None  
**The motion passed.**

**PUBLIC COMMENT**

No individuals requested the opportunity to speak during public comment.

**SUBSTITUTE MATERIAL IN THE HISTORIC DISTRICT/APPENDIX D DISCUSSION**

Chair Plaag began the discussion on the substitute material. Ms. Jane Shook, Director of Planning and Inspections, informed Chair Plaag that Ms. Allison Meade, Town Attorney, had wanted to attend this meeting, but it did not work out with her scheduling. Ms. Shook asked Chair Plaag if it was possible to table the main part of this discussion until Ms. Meade could be a part of the discussion. Ms. Shook suggested in this meeting that Chair Plaag have an initial discussion on the topic of substitute material.

Chair Plaag said the substitute material information started on packet page 24. He explained that he had emailed Ms. Jennifer Cathey from the State Historic Preservation Office (SHPO) regarding their input on

the thin-set brick veneer cavity wall system issue and asked for feedback on that material. Ms. Cathey responded in an email to Chair Plaag (permanently on file). He explained her recommendations included that the Historic Preservation Commission take advantage of the NCPres ListServ because the members have many years of experience with materials. He continued that she also suggested that the HPC should be specific with their queries and state the building type and location, nature of the historic district setting, and proposed use of the veneer. Chair Plaag agreed that considering the NCPres ListServ would be an opportunity for the HPC to learn how other communities handle materials of this type in their historic districts. He said this would help the HPC decide how to revise the Downtown Historic District Standards. He said this type of discussion on materials would be to review the appropriate and inappropriate materials in the district for the period of significance, considering the technological changes. He noted that he made it clear while the HPC reviewed the Watauga County Parking Deck – Certificate of Appropriateness case that he did not think that thin-set brick veneer was appropriate on primary and secondary elevations. He said that Ms. Cathey agreed with Chair Plaag that further discussion on using this type of veneer system was valid.

Chair Plaag confirmed with Ms. Shook that the HPC would need to wait until Ms. Meade could be present before the HPC made any decisions on the materials. Ms. Shook explained that Ms. Meade wanted to participate in the meeting to hear the HPC's concerns about possibly using newer technology. Chair Plaag stated that he recognized Ms. Shook's request to table the rest of the substitute material discussion until Ms. Meade could participate as long as there were no objections from the other HPC members. There were no objections from the HPC to table the said discussion.

Chair Plaag talked about a statement in the email from Ms. Cathey regarding the National Park Service (NPS) not specifically approving a specific material or product, and he added there was a time that NPS did approve substitute materials. He reminded the HPC that in the past, he had given the example of a problem with structured glass in specific applications as an acceptable substitute for Vitrolite and Carrara glass. He pointed out that when a seal of approval was put on something it is making that endorsement, not knowing how that material will perform over a more extended period. He said that the NPS is less willing to approve substitute materials or make recommendations on what they thought was a suitable material, which should be evaluated on a case-by-case basis.

Ms. Shook informed the HPC that Staff had some information on materials they would like to present to the HPC, but she didn't know how long it would take. She asked Chair Plaag if he wanted to cover other agenda items before Staff began discussing the materials. Chair Plaag said he would like to cover the other agenda items first, then ask Staff to present the information on the materials. He suggested moving the topic of substitute materials to after HPC Member Updates.

#### **Motion and Vote:**

Vice-Chair Bond made a motion, seconded by Student Member Ziegler, to amend the agenda to move the Staff's discussion on substitute material to after the HPC updates.

**Vote:** Aye – All  
Nay – None



**The motion passed.**

#### **BOONE CEMETERY INTERPRETATIVE PANEL DRAFT PANEL TEXT AND DESIGN**

Chair Plaag referred to packet page 28, and he said he incorporated the HPC's feedback from their last advisory meeting regarding Panels #1 and #4. He made some minor changes, tried to address the concerns, specifically on the issue of the soldiers fighting for an end to slavery or not fighting for an end to slavery, and provided some new photographs with better images for those particular panels.

Chair Plaag explained the process for the interpretative panels. He said the goal was to have the text and images for the four panels turned over to a designer at the company selected by Town staff. He explained that the HPC would approve the final draft content for the individual panels subject to the Town Council's review. He added that if Town Council approves the funding for the interpretative panel project, Staff would send the panel information to the designer at the panel company to do a mock-up of the panels, and Staff would send the mock-up back for the HPC to review and make further changes. Ms. Mitchell suggested sending the panel information to the panel company at the same time as it is sent to Town Council for their consideration. Chair Plaag pointed out that the panel company might want payment before they review the panel information. He asked Ms. Mitchell to ask the panel company to see if they do a review before having a contract with them.

Discussion ensued on Interpretative Panel #1 Boone Cemetery. Member Watkins pointed out that "burial" was used several times and suggested that some synonyms be used in its place. He also pointed out that the sentence starting with "By the 1880s" talked about the 1880s being the late 19<sup>th</sup> century. He said that Chair Plaag had done an excellent job reducing the word count, but he thought it could be reduced by about 20 percent more. Chair Plaag explained that the challenge with those two sentences was that the evidence for it being seen as the Town cemetery comes from the Watauga Democrat, which was not published until 1888. He said there were no reliable records before 1888 to see when people began discussing it being the Town cemetery. He said that by the early 1890s, there were appeals in the Watauga Democrat from the Editor saying we needed to maintain our cemetery better because it was overgrown. Member Watkins suggested that Chair Plaag explain the cemetery's condition at that time in fewer words on the panel. Chair Plaag agreed that he would work on those sentences for clarification purposes. Vice-Chair Bond suggested that Chair Plaag change the timing of the last sentence and not designate it as the late 19<sup>th</sup> Century.

Ms. Shook asked when the First Baptist Church was formally involved with the cemetery. Chair Plaag thought that the First Baptist Church was established in 1882. He said there were already burials there much earlier than that timeframe, but it was not founded as the First Baptist Church cemetery. Chair Plaag stated that the involvement of the First Baptist Church discussions about the maintenance of the cemetery in recent years was driven by the presence of many church members having ancestors in that cemetery. He said there are people buried in that cemetery are not part of the First Baptist Church.

Chair Plaag said that other than reworking the second sentence by changing one of the “burial” words and the last two sentences in the first paragraph, there was a general consensus of the HPC that they were satisfied with the content of Panel 1.

Chair Plaag discussed the use of the two images for Panel 1. He did not think there was an issue with using the survey image from the State of North Carolina because it was a public record. He said the other print from the Palmer Blair Collection should not be an issue, but as the Chair of Digital Watauga, he would ask the Palmer Blair family (digital partner) about the Town wanting to use it. He said that Digital Watauga would authorize that use without compensation.

Council Liaison Roseman voiced her concern about the Palmer Blair Collection image being blurry. She asked Chair Plaag how he thought it would translate into print. Chair Plaag said a couple of other aerial images show the cemetery that he could compare for clarity. He added that most of the Palmer Blair Collection has some motion blur because they were taken from an aircraft, a standard for aerial photography in the 1950s. He pointed out that the image of the cemetery was a cropped version that made the grain more visible, creating a type of blur that is more of a grain blur. Council Liaison Roseman asked if this was the type of image that could be cropped differently to reduce the blur. She asked if an outside source could crop the image to keep some of its integrity intact as it is blown up. Chair Plaag said it is not an issue of blowing the image up. He explained that it is a very high-resolution scan and that what you saw was the grain of the film itself. He said that there are filters in Photoshop that can be used to eliminate some things, but it would create a very unnatural look to the image, and often you can lose more detail than you can gain. He said he would look through the Digital Watauga Collections for other aerial images from roughly this period that show the cemetery to see if there was an image with a little less motion blur. Chair Plaag added that Civil War Trails markers have the same issues but lack fine detail.

Member Watkins referred to the image in the meeting packet on page 29 and asked Chair Plaag about the image, specifically what the handshake imagery means on the tombstone. Chair Plaag explained that handshaking is usually a symbol of matrimony, and if you look at the sleeves, one of them should appear feminine, and the other one should appear masculine. He added that if the sleeves appear to be gender-neutral, the hands represent a heavenly welcome or an earthly farewell. Council Liaison Roseman and Member Watkins wanted this image and description added to the panel. Chair Plaag emphasized that this tombstone was not an 1865 stone, but it is probably a mid-1870s stone. He said that some of the tombstones were installed after the war when funding was more available to buy them, and the marble for the tombstones was possibly available as far away as Wilkesboro, North Carolina. Ms. Mitchell suggested that if Chair Plaag found other images, they could be used as backup images. Chair Plaag agreed that multiple backup images could be available for the designer to choose from, which may mean, depending on the circumstances having individual captions for each image to describe that image. He mentioned that the designer might be interested in the backup images as a form of a screened image where the opacity is reduced so that it bleeds through the text behind it but is not in the forefront of what you see.

Chair Plaag said Panel #1 would be placed at the front gate in the white section of the cemetery, and next to it would be a panel on how to use the Boone Cemetery that would include safety information while in the cemetery. He said it was not his intention to have an image along with the text on this panel, which is why the text is longer. He said it would be helpful to have a reasonably bright screen image behind the text to make it more visually attractive.

Discussion ensued on Panel #2, How to Use the Boone Cemetery. After reviewing the text, Member Watkins stated that his preference would be for the text to be less specific on the use of the cemetery and written more towards a citizen's aspect of appreciating the cemetery. Chair Plaag stated that the HPC discussed the subject matter for the panels about a year ago, and he had responded to what the HPC as a whole wanted at that time when creating the wording for the panels. Chair Plaag stated that maybe the HPC had now rather see different text than the rules on the panel, and he was open to suggestions. Student Member Ziegler explained that from her student perspective, doing some background on the panel would be better than doing a graphic because graphics tend to draw vandalism. She added that graphics are the easiest for people to draw faces or spray paint on. She said using graphics tends to attract attention, and using one or two graphics depicting what should not be done in the cemetery was a good idea. In the first bullet point, she pointed out that "prosecuted accordingly" should include the type of prosecution that would apply to the trespassers.

Discussion ensued on the timespan of the interpretative panels. Ms. Shook asked Chair Plaag about the expected timespan for the information on interpretative panels. She referred to one of the terms in bullet point five, "rock out," and asked about the ability to make future text changes to the panels as necessary. Chair Plaag deferred Ms. Shook's question to Ms. Mitchell because she had contacted the panel design company. Ms. Mitchell said the panel company did not give her a specific timespan, and she would have to contact the panel company to find out. She pointed out that in a past discussion, the HPC had discussed the most durable materials for the panels and chosen the framework where the panel could be changed. Ms. Shook suggested keeping the text that would not have to be changed as often on the panels.

Council Liaison Roseman said that the shorter the bullet point, the better, and suggested that the bullet points be concise. She said that with the extra room from shorter bullet points, there could be room for the Circus Girl information. Chair Plaag explained that he might be able to include the vandalism of the Circus Girl stone in the panel text and explain that she was a fascinating person who was in the cemetery. He stated that we almost lost our record of her because of people who vandalized the cemetery. Chair Plaag suggested having a series of six short bullet points below the description of the Circus Girl that outline the important safety points while in the cemetery. He said this would also help justify using QR codes in the cemetery. Vice-Chair Bond agreed with Council Liaison Roseman about reducing the text and making shorter bullet points. She pointed out that this would be the first panel visitors to the cemetery would see, and having the QR code with more detailed information would make it more interesting for visitors entering the cemetery. Member Sharp suggested having one line in the text that explained why this place of reverence was important to students and town residents. Chair Plaag suggested including a sentence that says, "Boone Cemetery is an opportunity to understand better and experience our Town's history, our community's history, including many local residents and people associated with Appalachian

State University.” He added that this could be the introductory sentence to the safety bullet points. Vice-Chair Bond said that we did not have to identify that some people here belong to the university and some people belong to the Town because we have the paragraph that states the Boone Cemetery contains a great deal of black and white associated family history.

Member Sharp asked if there was signage at the entrance to the cemetery regarding the hours the cemetery is open for visitors. Chair Plaag responded that there is a small sign that says something like the cemetery is open from dusk to dawn. Student Member Ziegler said the signage might say police enforce it. She suggested that the letters on the sign be made bigger and bolder because some people do not take the sign seriously. Chair Plaag added that there was a dog bag station at the entrance to the cemetery.

Discussion ensued on QR codes. Ms. Mitchell reminded the HPC of their discussion regarding the Public Works Department making a QR code for the panels. She asked the HPC if they wanted the QR code to be located next to a pamphlet holder. She asked the HPC if they wanted to leave the QR code where the panel text called it out, knowing we would have a QR code at that location or have the QR code on the pamphlet holder knowing that people are more likely to scan a QR code. Chair Plaag responded that the HPC had decided to have one pamphlet holder among all the panels. He explained that the idea was for each panel to have a QR code that led to a different set of online information. Chair Plaag suggested a mounting area for the QR code sticker that can be applied, and when something needs to be changed, we get a new sticker. Student Member Ziegler explained that some people might not be comfortable scanning a sticker, thinking it might not be a sticker placed there by the Town. She said there are stickers with QR codes that, if scanned, can give viruses, shut down a phone, or steal credit card information. She said this was her only concern about the sticker versus a QR code imprinted into the panel. Ms. Mitchell talked about the Public Works Department using a reflective type of durable material similar to a vinyl sticker material. It might be more feasible to use because of its mounting material. She said she would check with the Public Works Department to see if it is still doable.

Council Liaison Roseman stated that not all college students would abuse the cemetery but would appreciate the history of preserving our community’s legacy.

Discussion ensued on Panel #3, A Divided Cemetery. Chair Plaag explained that he tried to cover all the important details of the boundary line within the cemetery. He noted that the footnotes in this particular panel would not be on the panel itself, but were intended for the HPC to know why he made the statements in the panel language. He asked the HPC for their feedback on the text for the panel. Vice-Chair Bond said the panel text was well done. She said a QR code was unnecessary for this panel because there was much information on it. She said if people wanted more information, there were other ways to get it. Member Watkins pointed out that this panel repeats information in Panel 1. He asked Chair Plaag if he intended for Panel 1 to be a general introduction. Chair Plaag explained it was the plan when the HPC first discussed the panels to let Panel 1 be the general introduction. He also explained that some people would not read the first panel and later on would read another panel but have missed the introduction provided in Panel 1. Member Watkins suggested that Chair Plaag reduce the text where it talks about the separation of the cemetery in Panel 1. He said he was cognizant of the fact that we always try to keep the

word count approximately the same in a set of panels. Member Sharp asked if, in the third paragraph, the second line stating “Boone mayor Gordon Winkler,” if “mayor” should be capitalized. Chair Plaag responded that if he were being addressed as a title, Mayor Gordon Winkler, “mayor”, would be capitalized, but the way it was written, it does not need to be capitalized.

Council Liaison Roseman asked Chair Plaag if the photo on packet page 33 was a duplicate of an earlier photo and why this photo was chosen. Chair Plaag responded that this was the only photograph that he knew of that showed most of the run of the fence. He said there are other photographs still in copyright that were taken that show part of the fence and some survey photos that show the fence far away. He said there are some articles that are referenced that show a little bit of the chain link fence, but they are on microfilm and have poor quality. Council Liaison Roseman suggested that if the panel was to line up to where this photograph lined up with the fieldstones, she thought it would help to show the line of segregation.

Chair Plaag explained where the HPC had discussed placing this panel. He said that in this photograph, you could see the white concrete boundary wall near the center, which is close to the Hardin family plots, and to the left of that slightly up the hill and near where the telephone pole is located, is where this panel would be placed straddling the line. He said as someone stands to read the panel, they would be standing in both sections of the cemetery on that line. Council Liaison Roseman stated that the panel should be at the other end, so you are looking directly out at the line. Vice-Chair Bond noted that she could clearly see the fence in the photograph, and having a photograph of the gate did not help tell the segregation story; Chair Plaag agreed with Vice-Chair Bond that the photograph of the gate would not be helpful in telling the said story.

Discussion ensued on Panel #4, Boone’s Union Dead. Chair Plaag stated that he had not attended the last meeting when the HPC had discussed Panel 4, but he had taken the issues of concern from the draft meeting minutes. He had rewritten this panel's draft text, including Member Watkin's concern about a contradiction between the two places. He explained that he reworded the sentence that precedes footnote three to help explain what he meant that the Council family may have perceived that these men were fighting for slavery as opposed to the question of whether they were or were not. He said he provided evidence that throughout the South and the North, there was a perception that, particularly in the back half of the war that white Union soldiers were fighting as allies to enslaved people in some way. He added that they were fighting for the end of slavery, and thus the epithet often used to describe them.

Chair Plaag opened the floor for feedback on the proposed text for this panel. Council Liaison Roseman asked Chair Plaag if the footnote would be in the QR code. Chair Plaag responded that the text had yet to be written, and the HPC could choose what they wanted to do with this particular QR code. He had intended to include the broader particulars in context with Stoneman's Raid. He added that he had researched the five soldiers who died in Boone, and he intended to provide as many details as he could about these soldiers. He said the information on the soldiers does not belong on the panel, but people might be curious to know about, for instance, Henry Evans.

Member Watkins stated that a way to capture some of the footnote material and make it available to the public could be through the QR codes. Chair Plaag explained that the different QR codes would probably be hosted on the same website as the Boone Walking Tour content, containing a specific link associated with this particular information. He added that we have the ability, with the story map process, which is the platform for the walking tour, to build a network of links within any given site that can take people to new information. Ms. Mitchell asked Chair Plaag who is hosting the website for the Boone walking tour. Chair Plaag responded that the Watauga County Historical Society was hosting the website. He added that the historical society is currently working on getting that funded separately. Ms. Shook said that the Planning and Inspections Department has used story maps. Chair Plaag told Ms. Shook he might need her department's assistance in creating the story maps; Ms. Shook said that Ms. Mitchell could help him if needed.

Chair Plaag addressed the HPC's concern about the 1885 image on the panel. He explained that he had used it as a place marker image because he working on options. He said the image in the packet was from the Library of Congress, showing the Stoneman's Raid route from the Tennessee line to Boone. He added that the image was from somebody on that march keeping track of the daily mileage. He said if the image was enlarged to an appropriate size on the panel, it was a good contextual clue for people to understand how they got here when the raid occurred.

Member Watkins pointed out that the word "burial" was repeated, and there needed to be a substitute word used for it in the last sentence of the second paragraph and the last sentence of the third paragraph.

Chair Plaag said the next task was to revise the proposed text for the four panels. He said he would try to complete the revisions by the following advisory meeting.

Ms. Mitchell reminded the HPC that near the time the panels are ordered, she and someone from the Public Works Department, and a designated HPC member, would need to meet at the cemetery and discuss the locations of the panels. Chair Plaag said he would go with another HPC member to discuss the locations of the panels. In general, Chair Plaag explained that one of the locations for the panels is an empty spot when you first walk into the gate and to the left, which would be a good spot for the first two panels. He said that Panel 3 would go on the divided line as previously described, and Panel 4 would be placed between the two trees just above their grave sites because there was no known gravesite at that location.

Ms. Shook stated that she had contacted the Public Works Department regarding photos from when the Town first took over the cemetery, and they took down the fence. She said they would look for photos and get back to her on what they may have found.

#### **STONEMAN'S RAID INTERPRETATIVE PANEL DRAFT PANEL TEXT AND DESIGN**

Chair Plaag requested that the Stoneman's Raid Interpretative Panel Draft discussion be tabled to the next advisory meeting because the draft was incomplete. It was the consensus of HPC to table this agenda item to the next advisory meeting.



Ms. Mitchell pointed out to Chair Plaag that Staff had seen a marker at the Watauga County Courthouse that talked about Stoneman's Raid or a similar topic. She said Staff was curious how that marker would correlate to the interpretative panel that the HPC was working on. Chair Plaag reviewed the text on the interpretative panel at the Watauga County Courthouse. Vice-Chair Bond asked Chair Plaag who was responsible for the marker at the courthouse. Chair Plaag responded that the marker was completed by The Department of Conservation and Development in 1940. He read the courthouse marker text, "Stoneman's Raid, On a raid through Western North Carolina, General Stoneman's US Calvary through a skirmish with the Home Guard at Boone, March 28, 1865." He said it is part of the North Carolina Historical Marker Program, and the marker was placed at the courthouse site because it was the direction from which they generally came into Town. He said the reason for installing an interpretative panel at the Downtown Boone Post Office location is that is where James Council's house was located, and where the shooting started. He said he knew from multiple sources that the Post Office location was where the shots were fired by the home guard or at the home guard, depending on which side you believe fired the shots.

#### **HPC INTERN LANDMARK REPORT UPDATE**

Ms. Mitchell began the discussion on the landmark report. She pointed out that the draft report in the meeting packet was from the April HPC Advisory meeting and included in today's meeting packet because she did not receive another report that incorporated the comments made at the May HPC Advisory meeting. She noted that she had included the April draft report in the meeting packet in case the HPC would like to further comment on it.

Chair Plaag informed the HPC that Ms. Ellie McCorkle, HPC Intern, could not attend this meeting. He explained that Ms. McCorkle had resigned from her position at Digital Watauga. He said she had accepted a full-time position doing survey and architectural history work with a company in North Carolina. He said he had yet to be able to communicate with Ms. McCorkle to find out what she could or could not do regarding her commitments to the Town.

Chair Plaag explained that he had communicated with Ms. Shook briefly about the funding for the HPC internship. Ms. Shook told him that the funding for the two local landmark designation reports, the Jones House and the R.L. Clay (Rivers) House, would expire at the end of June 2023 and not be carried forward to the Town's new fiscal year. Ms. Shook added that the intent was for the work on these two designation reports to be completed by the end of June 2023.

Chair Plaag told Ms. Shook that if Ms. McCorkle could not complete the two designation reports, he would complete the R.L. Clay (Rivers) House report because it was near completion. He said he would present the final draft to the HPC for their consideration. He asked the HPC if one of them wanted to volunteer to complete the Jones House local landmark designation report. He pointed out that the HPC had completed several of these types of reports before, and there was a template for how the HPC does these local landmark reports. He said the volunteer service on the report from the HPC would be much appreciated.

He understood there were no budget dollars for the next fiscal year to hire an intern for this purpose. He said in the coming fiscal year, if the HPC wants to complete these types of reports, they, as a Commission, would have to do them and not an intern.

Student Member Riley asked the HPC if they would consider an unpaid intern to work on the draft reports. She explained that she knew a lot of students in the ASU History Department, and she thought one of these students would consider an unpaid internship just for the experience of it. Chair Plaag responded that it was his impression that the Town had been reluctant to employ unpaid interns. Ms. Shook explained that, historically, we had one or two paid intern positions for the Town. She said that if someone wanted to volunteer for experience and met the qualifications needed to write the report, we would consider it.

Chair Plaag explained that in his view, when any of the HPC members, in their volunteer capacity, took on sole responsibility for drafting a report, it was fair game for them to list themselves on their resume as the author of, for instance, the Jones House, local landmark designation report, if they are doing the bulk of the work. He said the other HPC members would provide feedback and suggestions for revisions. Ms. Shook noted in the Planning and Inspections Department that we always credit everybody who works on a report.

Chair Plaag told Student Member Ziegler that he was not volunteering her, but she had stated that she had never done a local landmark designation report. Chair Plaag said it would be great to add to her resume that she had completed a local landmark designation report. Student Member Ziegler stated that she would be interested in writing the report. However, she was preparing to write her senior thesis this upcoming semester, and it seemed like a lot of work to be done simultaneously.

#### **R.L. CLAY (RIVERS) HOUSE LOCAL LANDMARK DESIGNATION DRAFT DESIGN STANDARDS**

Chair Plaag referred to packet page 54 and asked Student Member Ziegler what strategy she used and how she began to work on writing the standards for the R.L. Clay (Rivers) House Local Landmark Designation draft design standards. Student Member Ziegler explained that she pulled her information from Appendix D, and she put a lot of emphasis on windows, doors, awnings, and masonry because these things seemed to be going on at this time. She was open to feedback on any changes that needed to be made. She noted that there were some sections she crossed out because she thought there were only some things to be included.

Chair Plaag pointed out that one of the most challenging things about this kind of work was moving from the historian to the bureaucrat mode. He said the Planning Staff works differently than historians in terms of what they talk about and how they present it. He added that when you are creating standards like this, you are writing legal code.

Ms. Shook suggested that Staff work with Student Member Ziegler by providing her with a template for writing the standards. Chair Plaag asked Ms. Shook if she wanted to review the template information in this meeting. Discussion ensued on how standards would be formatted in context of Appendix D. Chair

Plaag and Ms. Shook spoke of having landmark property standards included within Appendix D as separate sections to maintain it as part of the UDO. Ms. Shook asked the HPC if Staff worked directly with Student Member Ziegler on this topic after July 1, 2023. Chair Plaag agreed with Ms. Shook's suggestion to help Student Member Ziegler when the staff could schedule a time.

Ms. Shook added to the conversation regarding a soft approach conversation with Council regarding the R.L. Clay (Rivers) House and bringing this report to them, as the current Council was not the Council that authorized the HPC to work on the report. Chair Plaag added that the conversation has been started previously, but the biggest concern would be what the Town could do, as the property owner, within the historic district and as a landmark property.

Student Member Ziegler thought it would be helpful to see a basic layout and have direction. She said the feedback she had received from the HPC would be a good place for her to start working on. Chair Plaag expressed his gratitude for Student Member Ziegler volunteering and taking on this responsibility, particularly since she had never done it before. Ms. Shook thanked Student Member Ziegler on behalf of the Town for taking on this responsibility.

#### **STAFF UPDATES**

Ms. Mitchell began by thanking everyone for their involvement with the Hayes-Bryan-Greene Cemetery Marker Unveiling Ceremony that occurred on June 2, 2023. Chair Plaag expressed his thanks for Vice-Chair Bond speaking at the event, and Vice-Chair Bond was appreciative of seeing family members present at the event. Ms. Shook added appreciation for the Public Works Department, including their installation of the new sidewalk.

Chair Plaag asked Staff to give the monthly "Statement of Conformity" Report. Ms. Turner stated one was for the Ben and Jerry's building at 671 W. King Street. She said some brick and mortar was coming out from the brick in the alleyway and not on the primary façade. She said to repair it, they had to take the brick out, re-mortar the brick, and put it back. She said the repair had been completed, the final inspection had been called in, and Staff would inspect it.

Chair Plaag mentioned an email he sent last month regarding the foam seeping out from around the windows on the Qualls Block. Ms. Shook introduced Mr. Darrell Pulliam, Town of Boone Building Inspector. She said he was Ms. Turner's team member and project manager liaison for building permits in the Downtown Boone area. She thought it would benefit Mr. Pulliam to hear the discussions to understand when things are brought to him and how he might react or direct them to the appropriate resources. Mr. Pulliam explained that he had spoken to Mr. Greg Lamb, the owner of the Qualls Block building, and Mr. Lamb re-foamed the windows where the foam had seeped out. He said Mr. Lamb would work on cleaning up the foam on the windows. He said that when he spoke with Mr. Lamb, he was unaware that the foam had seeped out, and that he would follow up on this issue. Chair Plaag asked if the replacement of those windows was permitted before the adoption of the Historic District. Ms. Turner said the replacement of the windows occurred in 2019, before the adoption of the Historic District.

### **HPC MEMBER UPDATES**

Chair Plaag showed photos of signs within National Register Historic Districts that he visited on his recent trip to Missoula, Bozeman, Livingston, Butte, and Kalispell, Montana. He said their buildings are contributing resources to the district, and also for some that are special buildings to the district. He said they put together a panel attached to the building that gives a history of the building and its significance, including its tenants and architecture. He added that seeing people stopping to read these signs was great. He felt they had done a good job interpreting the buildings in their historic districts.

He suggested that the HPC do something similar to what the cities in Montana had done by working with the Downtown Boone Development Association (DBDA) on funding the signs for the Boone Downtown Historic District. He said these signs would be mounted on the particularly significant buildings in the Town's local historic district.

Chair Plaag said this was not a topic for the HPC to vote on in this meeting. He showed these to the HPC as to what these signs could look like in the Downtown Historic District.

Ms. Shook pointed out that there had been many internal discussions on ways to incentivize or promote the Historic District. She said that Ms. Mitchell had discussed with Ms. Paige Henderson, the former Downtown Boone Development Coordinator, about ways to incentivize. She thought the signs were a great idea to promote the Historic District and would create a talking point among the property owners. She said she would like to investigate the cost of the signs for the Historic District. Vice-Chair Bond said working with the DBDA, using the story map, combining the Downtown Boone Walking Tour, and identifying the significant key buildings would mean a lot to the Downtown area. Ms. Shook added that this would be a good opportunity to collaborate with the DBDA on the proposed sign project.

Chair Plaag asked Council Liaison Roseman to ask Council for some direction on what the Council might need from the HPC to start a proposed sign project. Council Liaison Roseman agreed that the proposed sign project was a great idea but would need funding. She thought one location for this type of sign was on the brick wall in front of the Daniel Boone Condos on King Street. She would consider it because she loved history and paying homage to historical places. She also thought if the cost were right, the other Council members would consider it in certain areas. She thought of another place of significance for a sign would be the old underground barber shop on King Street.

Ms. Shook said when the planning for the district was occurring, they did not plan how they would promote and support the district. She said she would like to advocate for promoting and supporting it now to help create a sense of place and try to get buy-in and figure out how to market it. She also thought determining the benefits of promoting the district would be helpful. She thought there might be funding for historical-type things like flags with a logo that has been discussed to help the district succeed in the long run.

Chair Plaag said the HPC could discuss something similar to the National Register Historic District signs at a future date.

**SUBSTITUTE MATERIAL IN THE HISTORIC DISTRICT/APPENDIX D DISCUSSION**

Ms. Shook began discussing some of the lessons learned from past quasi-judicial meetings. She explained that Staff meets with the applicant to identify what they need to review that applies to a project and which of the three elevations (primary, secondary, or tertiary) or façade they propose to work on. She said that based on the current definition in Appendix D, when the staff reviewed the Southend Brewing Company COA application, they decided the proposed work was on the secondary façade. She said in Staff's second review of the application and based on more information from the applicant, Staff realized that the proposed work was on the tertiary, or the rear, elevation of the building. She added that Staff tried to explain in the Staff Report why they made the first decision and changed their decision regarding the elevation of the building between the first and second HPC meetings.

Ms. Shook explained in the second part of the review of this application, Staff would decide which standards would apply to the proposed work. She said Staff looks at all new additions as new construction. She said that Article 14 contains the appearance standards for additions and new construction for the Downtown Core.

Ms. Shook said in Section 13 of Appendix D, the standards talked about new construction related to the building already on the lot. She said there is no language in this section of the standards that says the addition has to be attached, which means there can be an addition to the property. She said there was language for new construction concerning the district or adjoining properties. She said Staff decided it was an addition to the property because the new and existing buildings were separate, and Staff thought it was important to focus on the relationship of the new building with the existing building. She said during the meeting Ms. Meade had suggested that applying Sections 13 and 14 would work the best in applying the standards to this case. Ms. Shook added that the proposed shipping container building did not cleanly fall into category of additions or new construction standards. She said Staff told the applicant that they were applying both standards to their proposal, and the applicant based their presentation upon this guidance from Staff. She added that the decision to apply both standards needed to be clearly stated in the Revised Staff Report, and it needed to be clearly explained in the meeting.

Ms. Shook suggested making the language in Appendix D more explicit regarding the definition of adjacent public streets; Chair Plaag agreed with Ms. Shook regarding the rewrite for clarity. He also mentioned to Ms. Shook that when he drafted the text for additions, he was thinking in terms of things that are connected to existing buildings, as opposed to some new construction of an outbuilding or a new building on a lot that is separate from an existing historic building. He said the term "additions" was meant for someone who wanted to add a wing or build another story on top of a building.

Ms. Shook talked about combining Sections 13 and 14 and explained the difference between additions attached to a structure and additions built on a lot.

Ms. Shook talked about a temporary or permanent structure and why the term "temporary" was so important to the Southend Brewing Company applicant. She thought the HPC and Staff should discuss the

temporary or permanent use of a structure and if it made a difference in the standards. She said that calling it a temporary structure seemed false because it was a building, whether it was a shipping container attached to plumbing and electrical, and that in this case it was misleading to call it a temporary structure.

Ms. Shook talked about accessory structure. She said that the accessory structure standard in Appendix D applied to the Southend Brewing Company case; however, she explained that accessory use standards in the rest of the UDO did not apply to it. She explained that it was not a shed or carport, and the activity in this building is the same as in a small principal building. She said that the UDO treats accessory structures differently than a principal structure, they get a reduced setback, and different things are allowed in accessory structures. She said in any other zoning district, she would not call that type of structure accessory because it would not be wanted seven feet from the property line. She said from an appearance standpoint, she could see why someone would consider it an accessory structure, but for every other standard, it would not be considered an accessory structure.

### **JULY ADVISORY SESSION MATERIAL**

Chair Plaag suggested that the following items be placed on the next advisory meeting agenda: Boone Cemetery Interpretative Panel Draft Panel Text and Design, Stoneman's Raid Interpretative Panel Draft Panel Text and Design, R.L. Clay (Rivers) House Local Landmark Designation Report status.

Chair Plaag asked Student Member Ziegler to update the HPC at the August 2023 meeting on the material that Staff would cover with her regarding drafting the R.L. Clay (Rivers) House Local Landmark Designation Draft Design Standards.

Chair Plaag asked the HPC if they knew someone interested in possibly working on the Jones House Designation Report. He said to let Ms. Shook or Ms. Mitchell know who it is or be prepared to discuss it at the next meeting.

Chair Plaag asked Ms. Shook when she wanted to address the items from the Appendix D discussion. Ms. Shook said she would like to make recommendations for the proposed definition changes that Staff could prepare rather quickly. She added that for the other topics discussed, she would like to have more in-depth conversations with HPC and her comments are her recommendations for the HPC on the solution to the new construction and additional sections of the standards.

### **OTHER DISCUSSION**

Council Liaison Roseman pointed out that the July 2023 HPC Advisory meeting fell on the Fourth of July holiday. Discussion ensued on another date and time to reschedule the next advisory meeting. The HPC, Council Liaison Roseman, and Staff decided on Monday, July 10, 2023, at 4 p.m. for the next HPC Advisory meeting.

### **ADJOURNMENT**

Vice-Chair Bond made a motion, seconded by Member Sharp, to adjourn the meeting at 5:33 p.m.



**Vote:** Aye – All  
Nay – None  
**The motion passed.**

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**Eric Plag -Chair**

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**Marlene Crosby, Board Secretary**

Historic Preservation Committee  
Planning and Inspections Department  
Town of Boone  
680 W King Street  
Suite C  
Boone, NC 28607

July 20, 2023

Dear Chairman and Members,

Please find enclosed the submittal for the Historic Preservation Committee including preliminary site plan and description of content and material selection. The fundraising was launched in 2022, after a confirmed partnership with a County non-profit agency recommended by the Cultural Resources Department.

Public art is usually underwritten by privately sourced funding. Our collective goal is not to burden the taxpayer with "Percentage for Art" initiatives, but to "gift" this project to the Town of Boone. The wide range of advocacy for this project has been significant and newsworthy and will continue as the media outlets are allowed to be contacted by the beneficiary, (the Town) or related agency.

We strive for accuracy and are confident that the enclosed information will suffice as this project has considerable public participation. As a collective group, we look forward to your advisory report to the Town Council.

With appreciation for your consideration,



Brenda Mauney Councill, Owner and Lead Artist, Councill Fine Art Studio, LLC.  
(828)295-9277 studio (404)210-0866 cell  
**Project Management, Boone Sesquicentennial Monument Project**

*Rebecca Triplett-Johnson*

**Writer-Editor in Chief  
Boone Sesquicentennial Monument Project**

President-CEO  
Design-Development  
Classroom Integration-Coordination  
**Science Technology Advanced Resource, Inc. (STAR)**  
**(A Lockheed Martin Skunkworks partnership)**  
(336) 818-2563 office (336) 957-6566 cell

**And the Volunteer Team, Donors and Sponsors of the Boone Sesquicentennial Monument Project**

Communication: Exhibit 1 - Cover Letter (HPC Advisory Art Review of The Sesquicentennial Monument)



**The Sesquicentennial Monument**  
Boone, North Carolina



## Project Summary:

The Town of Boone has not met the need and request from community advocates to install a permanent tribute to the founding of Boone. This community-based project is a “gift” to the Town of Boone to commemorate the 150<sup>th</sup> anniversary of Boone celebrated in 2022.

- **The project description and proposal were first introduced by The Cultural Resources Department, Town of Boone on April 13<sup>th</sup> 2022 Council meeting.**

This public art sculpture seeks to commemorate current and past individuals, families, businesses and organizations that have contributed to the development of Boone.

A focus on the historical settlement of Boone and Watauga County is portrayed in “**bronze life-size portraits**” that emulate the early pioneers, Revolutionary era settlers, women, and enslaved people.

**Large bronze plaques will display and ensure a permanent tribute to:**



(Not formatted)

- **Founding families- beginning with 1790 census records**
- **Individuals; past or present**
- **Business and early enterprises**
- **Organizations; early churches, civic and social**
- **Educational institutions**
- **Cultural –notable artists and musicians**

**The current design enables a progressive intent to expand the monument by providing a total of ( 4 ) plaques securing ample space for a perpetual inclusive plan.**

- Each entry is sponsored, (financially underwritten) by family groups, organizations, individuals and businesses.

***A TIMELINE is available upon request.***

***This project is privately funded and seeks no taxpayer funds other than perpetual care by Town of Boone.***

## **Select Endorsements:**

*As a descendent of Daniel Boone (via Sarah Boone), 7<sup>th</sup> generation resident of Watauga County, and historian, I enthusiastically support Brenda Council's beautiful sculptural memorial to the pioneering families of Boone and Watauga County. So far as I know, it will be the first and only public art which memorializes Boone's pioneer African-American community. It merits prominent display in front of the downtown Post-Office where visitors and long-term residents of our fair county can enjoy and contemplate our rich and complex history.*

**- Ralph E. Lentz II Senior Lecturer, History Dept., ASU  
Vice-President, Watauga Historical Society**

*To: The Town of Boone*

*Re: Beneficiary of The 150<sup>th</sup> Commemorative Sculpture*

*Date: May 10, 2022*

*When recognizing history, it is always important to reflect, with as much accuracy as possible, the details of events and people upon which history was built.*

*Referencing the Boone historic monument sculpture being done by artist, Brenda Council, great effort has been put into researching historic sites, events and families, which led to the building and founding of the town of Boone. The historic site where Boone officially began is where Council's Store building and the original post office once stood, then called, Council's Store. The town was later named after Col. Daniel Boone as it became the county seat of Watauga. Placement of the monument upon this site reflects the accuracy of Boone's history while enhancing the viewer's knowledge that they are standing in spots where much of the area's history occurred. The addition of that knowledge increases the viewer's excitement and vicarious emotion of being so close to the people and events of before. This beautiful piece of art will further enhance Boone's aesthetic in an already pedestrian friendly environment for ease of viewing and reading.*

*The view of an artist is one born of creativity. With this piece by Ms. Council, she has gone to great lengths and long hours to build this monument upon historic accuracy while giving of her artistic view to celebrate and honor generations of Boone families.*

*To honor our descendants from the Triplett, Harden, Brown, Clawson families, we applaud and endorse the vision and work of Ms. Brenda Council in the creation of this historic monument celebrating the history of Boone, NC, along with its placement being on the historic site of Council Store and original post office where once stood the beginning foundations of the town of Boone.*

*Sincerely,*

**Rebecca Triplett-Johnson**

**Philip Triplett**

**Elizabeth Triplett Beam**

**Rex Triplett**

*"It is my privilege to endorse the public art sculpture of renowned artist Brenda Council which she has designed and created to honor the founders of Boone, the County Seat of Watauga County, in celebration of its sesquicentennial. Her carefully researched historic busts evoke the courage, strength, and determination necessary to settle the High Country. Specializing in public art, Ms. Council's work enriches environs from New York to Florida, and from the United States to India. It is especially meaningful that this award-winning, nationally and internationally recognized artist of merit is herself a descendent of the founders."*

**-Mary Etta Moretz, Educator and Boone Historian**

*With honor, I'm delighted to endorse the 150th Anniversary Commemorative Monument by internationally renowned artist Brenda M. Council. I can't think of a more appropriate artist for this work than Ms. Council due to her Boone founding family's lineage. Having this significant monument located in the National Register-listed Boone Post Office will serve to connect this unique WPA project and the "Lost Province's" early history in this former approximate location of Boone's first building, Council's Store. This commission with Ms. Council reflects Boone's commitment to historic preservation and local history.*

**Donna Akers, local author and historian, [Writing | Donna Akers writing](#)**

*"It is with privilege that I endorse the 150th Anniversary Commemorative Monument by national artist Brenda Council to be located at the downtown Boone, North Carolina Post Office area.*

*Ms. Council has specialized in the execution of historic pieces and immerses herself in researching primary source documentation in order to achieve accuracy in the details of her work. The authentic period portrayal of diverse founders represented in the statue is exemplary and a most fitting representation for the Town of Boone's 150<sup>th</sup> Anniversary. In addition to the artistic embodiment of the work is the appropriate placement of the statue in the close vicinity to the early founding of the Boone township previously known as Council's Store. The statue would rest on the geographic center of the town's origins.*

*As the North Carolina Historic Preservation Committee State Chair of the National Society Daughters of the American Revolution, whose core motto and goal since 1890 has been historic preservation and education, I fully endorse this project as a commemoration to the heritage and remembrance of the Town of Boone's founding. This historical artwork will live on to tell future generations the story of Boone, North Carolina's rich legacy- a fitting tribute on the 150<sup>th</sup> Anniversary!"*

**-Jill Privott, NC Historic Preservation State Chair,  
National Society- Daughters of the American Revolution**



*"As relatives of Jordan Council we are thrilled and excited to support Brenda Council and the extraordinary effort she has made to research the Council family and bring forth a tribute to honor their pioneering achievement which has benefitted the development of Boone. Thanks Brenda!! "*

**Fred Council and Martha Council Leak**

*"I am happy to endorse the installation of a sculpture recognizing the early settlers of Boone as part of Boone's 150th celebration. I grew up in Boone and my roots there still run deep. Such a concrete record of Boone's early days would invite visitors and future generations to learn more about the history of our community.*

**Tracy Council**

*"The Town of Boone has a long and celebrated history of commemorating its connection to the life and legacy of Daniel Boone, America's pioneer hero. Forty years after its first mayor, William L. Bryan, began his responsibilities in 1872, the good "colonel" single-handedly built the Boone Cabin Monument in 1912, a purposeful nod to attract tourism as had been done two years earlier along the lower Yadkin River in Davidson County with a monument of their own. The Daughters of the American Revolution arrived in 1913 to erect six cast iron markers in Watauga County alone of the 50 such markers spread across 400 miles in four states to establish their commemorative Daniel Boone Trail. And 50 years later, the Daniel Boone Wagon Train arrived annually for a dozen years to celebrate with a parade down King Street the region's connection to a pioneer past, perhaps not historically accurate in its interpretation, but with the right spirit and intention to remind people of those who had come before and brought them to where they were. The 150<sup>th</sup> Anniversary monument planned for the Town of Boone is a wonderfully timed and appropriate continuation of heritage appreciation, civic pride, patriotism, and community promotion that every resident of the Town of Boone should value and every visitor welcome as evidence of a community who knows who it was before and is today, one who cares about its legacy into tomorrow. "*

**Randell Jones**, author of *In the Footsteps of Daniel Boone*, *Trailing Daniel Boone—DAR marking Daniel Boone's Trail, 1912-1915*, and *The Daniel Boone Wagon Train—a journey through the Sixties*. Recipient of the national History Award Medal from the National Society, Daughters of the American Revolution in 2013, invited member of the Road Scholars Speakers Bureau of the NC Humanities Council for 14 years, and creator of [BecomingAmerica250.com](http://BecomingAmerica250.com). More at [RandellJones.com](http://RandellJones.com) and [DanielBooneFootsteps.com](http://DanielBooneFootsteps.com)

*"As former mayor of Boone I would like to say that I think this public art sculpture will be a great addition to our town. The concept is perfect. I look forward to seeing it completed."*

**Loretta Clawson- Mayor of Boone 2005-2013**

*“The early settlers of Watauga and the Appalachian Mountain region embodied many of the American cultural ideals of innovation, hard work, independence, faith, and community in unique ways. These ideals empowered them to endure and adapt to the difficult climate and remoteness to cultivate a healthy self-reliant community which continues to this day. This commemorative memorial not only acknowledges the early settlers of Watauga but has the opportunity to preserve how the culture and ideals of Watauga earliest settlers have contributed to the community that has made Watauga a desirable place to live throughout the generations. ”*

**Travis Critcher. 5<sup>th</sup> generation resident**

*“I am proud to endorse the 150th Anniversary Commemorative Monument by internationally renowned artist Brenda M. Council. She brings her lifelong artistic expertise and skillfully merges it with her passion for honoring and preserving the diverse heritage of Boone.*

*Furthermore, permanently locating the monument at the Boone, North Carolina Post Office will tangibly link the 150-year history of Boone with the early township’s founding institution once known as Council’s Store.”*

**Sharon Blair Tolbert, Visual Artist and Designer- Owner of Henry Blair Farm in Boone NC**

**National Registry of Historic Places**

## Suggested Site:

### West King Street Corridor- between P.O. Location and Melanie's Restaurant



#### Suggested Monument Placement

- Relocate mailbox and newspaper boxes
- Pad maintained by Town of Boone



- **Postmaster**

contacted regarding  
Relocating P.O. owned  
Mailbox  
07/12/23

- **NCDOT**

Correspondence enclosed  
04/13/22

- **Town of Boone**

Representative suggested  
this alternate site  
location.

NCDOT- Correspondence:

Begin forwarded message:

**From:** "Pettyjohn, Michael A" <[mpettyjohn@ncdot.gov](mailto:mpettyjohn@ncdot.gov)>  
**Subject:** RE: [External] King Street Boone- NCDOT  
**Date:** April 13, 2022 at 8:36:54 AM EDT  
**To:** "[bmc@councill.net](mailto:bmc@councill.net)" <[bmc@councill.net](mailto:bmc@councill.net)>, Cullie Tarleton <[cmtarleton@ncdot.gov](mailto:cmtarleton@ncdot.gov)>  
**Cc:** Mark Freed <[mark.freed@townofboone.net](mailto:mark.freed@townofboone.net)>

Brenda

I hope you are doing well.

We cannot find any documentation that supports that we own or have right of way in the area depicted in the picture. Our right of way is thought to be limited to the roadway and the curb and gutter at this location.

If we can be of any help, please let us know.

Thanks

**Mike Pettyjohn, PE**  
Division Engineer  
Division 11  
N. C. Department of Transportation

336 667 9111 office  
[mpettyjohn@ncdot.gov](mailto:mpettyjohn@ncdot.gov)

801 Statesville Road  
PO Box 250  
N. Wilkesboro, NC 28659-4716

*\*Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.*

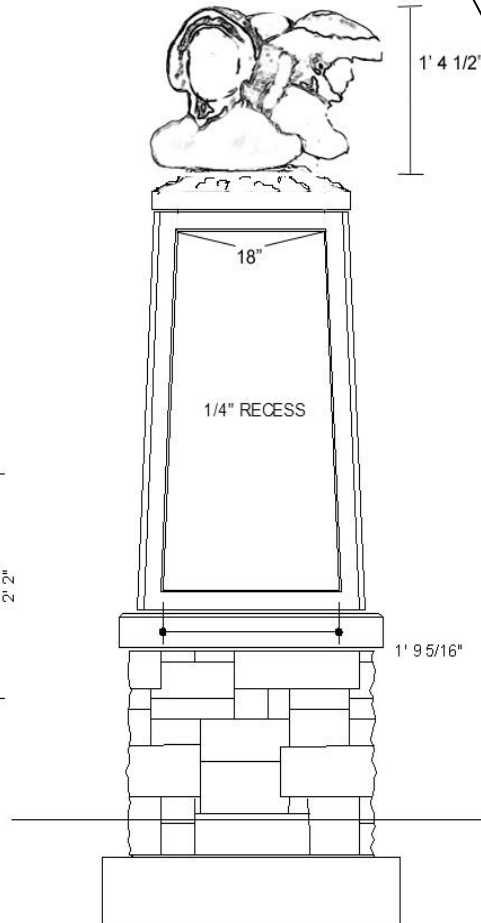
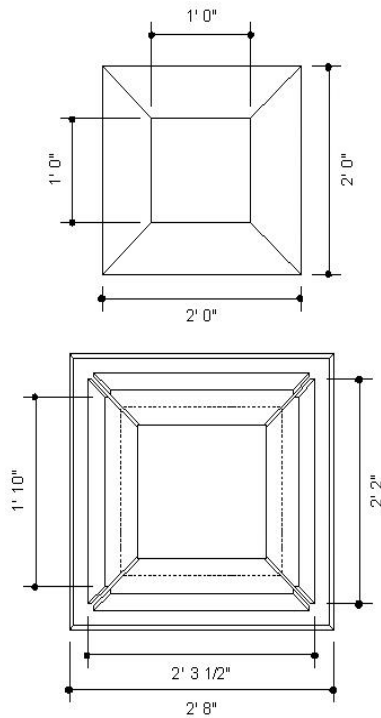
**\* All correspondence between Mike Pettyjohn, Cullie Tarleton, Kenny Heavener- NCDOT Regional Engineer.**

- **All email correspondence regarding Boone 150<sup>th</sup> or Sesquicentennial Sculpture and the Orville and Ray Hicks "Bench Project" between Councill Fine Art Studio, LLC. , Cultural Resources, Dept., Town Attorney, Town Manager, Mayor and Town Council, Planning Dept. are available via Town of Boone/Public Records.**

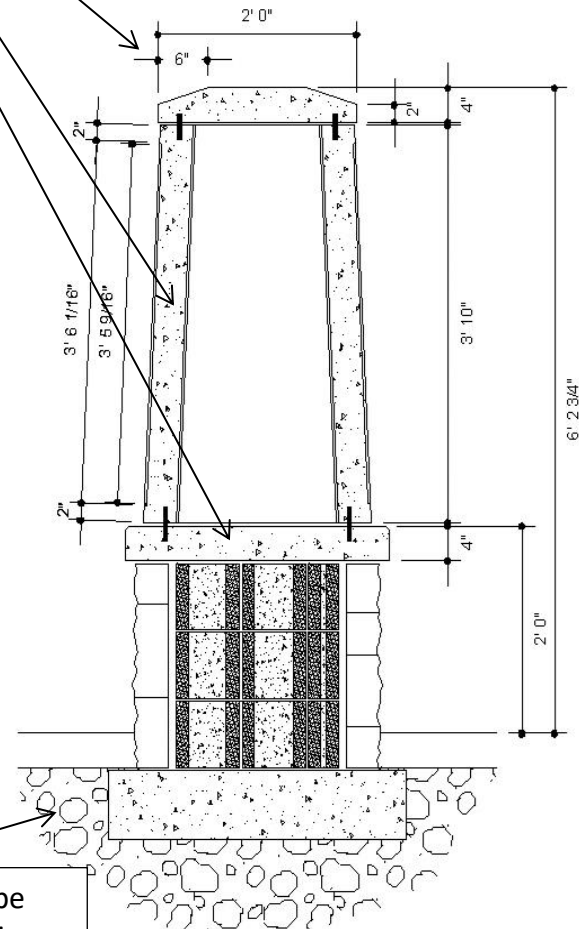
**Dates: 01/25/22- 07/17/23**

**Photos of sculptural and base details –Construction schematic**

Scale description only. Refer to Site Plan and construction details for full compliance.



- (1) PRECAST COLUMN upper CAP
- (4 )PCS PRECAST VENEER PANELS, WITH 1/4" CENTER RECESSED AREA
- (1) PRECAST BASE LOWER CAP



Footer/Anchorage Detail-to be provided by IOCON Engineering



## Contractor List

- **General Construction Contractor**- Greene Construction, Inc., Boone , NC.
- **Column- Cast Concrete** construction – Lucas Concrete, Inc.- Charlotte, NC.,
- **Base- Select Natural Stone** masonry- David Greene Masonry
- **Stainless Steel**- threaded core rod for support of bronze busts and fabrication/casting- American Bronze Foundry, Sanford, FL.
- **Site plan and Engineering**- IONCON, Inc., Boone, NC
- **Bronze Sculptural Busts**- Councill Fine Art Studio, LLC.
- **Bronze Plaque**- Longview Graphic Plaques, Raleigh, NC.





**Bronze Busts**

**Buff  
"limestone" color  
Cast Stone  
components**

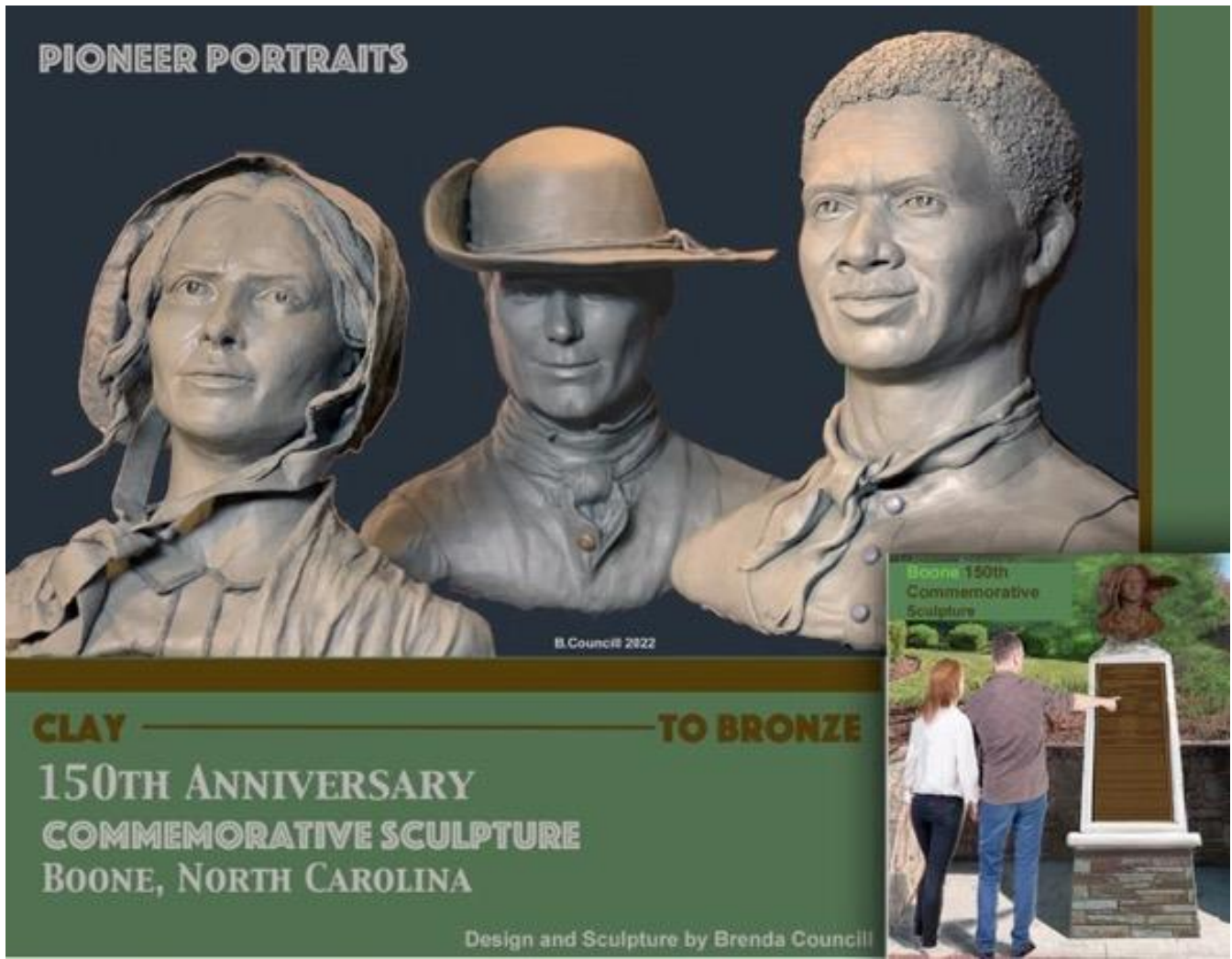
**Stacked Stone  
- See  
suggested  
styles**

**Bronze Plaque**

Suggested Stone Base- Stacked Stone veneer- mortared



Regional (NC., TN., VA.) stone selection donated by HIGHLAND LANDSCAPE, INC. Boone, NC.







## **Sponsors/Fundraising**

**All Tax-deductible Donations have been made to designated fiscal agent:**

North Carolina Daniel Boone Heritage Trail, Inc.  
126 W. Church Street  
Mocksville, NC 27028

North Carolina Daniel Boone Heritage Trail, Inc. is a 501(c)3 tax exempt organization. Donations are tax-deductible within the extent of IRS tax laws.

**NOTE: FUNDING GOALS via pledges and donations have been reached  
(05/9/22) Original cost estimate provided to Cultural Resource Dept. in 03/22**

**Designated affordable contributions ensure an inclusive fundraising campaign.**

- **Beneficiary: The Town of Boone**
- **Participation is by financial or “in-kind” suggested contributions.**
- **Project Management provided by Councill Fine Art Studio, LLC. and volunteer team.**
- **When media outreach is allowed to resume, participation will increase.**
- **Historical accuracy has been achieved by using primary source documentation; family bible records, court documents, deeds, military records, oral histories, verified sources from the period such as newspapers, and authorship from national and regional historians such as John Preston Arthur, Ora Blackman, Cratis Williams, Daniel J. Whitener, Ina Woestemeyer Van Noppen, Bud Altmayer, Michael C. Hardy, Terry Harmon, Donna Akers, Robert Morgan, Randell Jones, Shepard M. Dugger, Wilma Dykeman, Jim Stokely, Dept. of the Interior Publications, Carl Hammer, Jr., genealogies including national DAR library records, gravestones, birth and death records.**

**Volunteer team includes Historians, Genealogists, Editor, Fiscal Agent Project Management:**

|                                 |                                                         |                        |
|---------------------------------|---------------------------------------------------------|------------------------|
| <b>Brenda Mauney Councill</b>   | <b>North Carolina Daniel Boone Heritage Trail, Inc.</b> |                        |
| <b>Terry Harmon</b>             | <b>Ralph E. Lentz, II</b>                               | <b>Travis Critcher</b> |
| <b>Rebecca Triplett Johnson</b> | <b>Jill Privott</b>                                     | <b>Mary Moretz</b>     |

**All are available to answer inquiries on behalf of the Sesquicentennial Project.**

## **Confirmed Bronze Plaque Donors- Individual, Family Donors, Business and Organization Sponsors:**

### **Business Sponsors**

Boone Drug, Inc.  
Councill Fine Art Studio, LLC.  
Creekside Electronics  
Deal, Mosely & Smith , LLP.  
Eggers, Eggers, Eggers & Eggers, Attorneys at Law  
Greene Construction, Inc.  
Goodnight Brothers  
Miller and Johnson, PLLC  
Wilcox Drug Co.  
Ioncon Engineering, Inc.  
Highland Landscaping, Inc.

### **Organizations**

Daniel Boone Chapter-National Society Daughters of the American Revolution  
Three Forks Baptist Association  
North Carolina Daniel Boone Heritage Trail, Inc.

### **Family Sponsored Tributes-**

The Blair Family and Blair Family Farm -(3) donors  
The Coffey Family- (2) donors  
    -The Linney Family  
The Councill Family- (11)  
The Critcher Family including  
    -The Harrison Family  
    -The Hodges Family  
The Curtis Family (1) donor  
The Deal Family  
The Dougherty Family- (7) donors  
    - Including Dr. Perry

The Greene Family (4) donors  
The Benjamin Howard Family  
    - including Burrell (Howard)  
The Miller Family  
The John Moretz Family  
    - including The Thompson descendants  
The John Norris Family -(3) donors  
The Robinson Family -(2)donors  
The Triplett Family -(5) donors  
    - including The Hardin, Brown and McNeil families  
The Wilcox Family -(1)  
    - Kenneth Wilcox

## **Bronze Plaque #1 (not formatted)**

In celebration of the 150<sup>th</sup> Anniversary of Boone this monument is dedicated in the year 2023

Formerly known as Councill's Store, the settlement was incorporated in 1872 and renamed Boone after Daniel Boone, whose love and skill for hunting and whose pioneering spirit led others to join him in the lush mountain region of North Carolina, including present-day Watauga County. Here, an abundance of wildlife and native plants provided sustenance, medicines, and trade opportunities for all who braved the elements and struggled to homestead in what would become the county seat. Standing near the historic sites of the former Councill's Store building and the original post office, this monument honors all the early Appalachian pioneer families and African Americans whose courage, strength, and hard work laid the foundation upon which the town was built. These early generations sustained the town's prosperity by valuing family, faith, education, and culture, and this heritage of values is passed on to future generations, who will hopefully continue along these historic paths in leading the Town of Boone into its future seasons.

**Bingham-** Dr. Robert Knox “R.K” Bingham (1878-1949) and wife Jennie Norris Bingham (1888-1975) Dr. Bingham served as a community medical doctor and his home served as Boone’s first hospital, now located at the current Dan’l Boone Inn restaurant. Sponsored by grandsons James M. Deal, Jr., Esq., and Claude D. Smith Jr., Esq. of Deal, Mosley & Smith Law Firm.

**Blair-** honors brothers Colbert, Thomas and Henry Blair, who settled in the area in the 1830’s. The brothers farmed, operated large saw, grist and carding mills. Henry Blair and Mary Steele Blair settled permanently in the Deerfield area in 1844. Their home and remaining outbuildings are the oldest remaining structures in Boone. Six generations of Blairs have contributed to the community as cabinetmakers, windmill and wagon builders, farmers, teachers, artists and historians. Family members served the town as Postmaster, Town Planner and Clerk of Court. Entrepreneurial contributions include Watauga Kraut Factory, Boone’s first airport and Palmer’s Photo Shop.

**Clawson-** Loretta Clawson Former Mayor of Boone 2005-2013, Addie Clawson, (1909-1964)

**Coffey-** honoring the Frank Linney Coffey Family for their many contributions to the development of Boone.

**Councill-** Jordan Councill, Sr. (1769-1839) married to Sarah Howard (1771-1816) were first settlers of the town of Boone originally known as Councill’s Store. Jordan, Sr. was a prominent citizen, farmer and progenitor of the Councill line. His son Jordan Jr. (1799-1875) continued the founding family tradition as a successful merchant, miller, blacksmith, significant long-haul livestock trader and owner of Councill’s Store. His businesses encompassed a large geographic area of import and export which sustained and expanded the local region’s commerce. Councill’s Store was a purveyor to the early frontier trade route which ran from the local area to the burgeoning frontier of Kentucky. In 1823, the first post office was established in Councill’s Store operating with Jordan Jr. as postmaster. The North Carolina Legislature in 1849 appointed Council commissioner to help lay out the Town of Boone as the seat of the newly formed Watauga County, on land donated by Jordan. Councill, Jr. and Ransom Hayes.

The tenth generation, Frederick Moore Councill & sister Martha Hardin Councill, children of James Hardin Councill & Margaret Moore Councill commemorate the courage & business acumen of the Councill founding family.

The children of John Hardin Councill (1929-2008) and Rebecca Sue Shoemake (1934-2015) recognize their paternal grandparents, Mayor Edward Tracy Councill (1899-1936) and Grace McNinch Councill (1900-1974).

Richard Jefferson Councill and descendants honor Alice Margaret Bostwick Councill, (1832-1935) wife of Dr. William Bower Councill, Sr. (1829-1899) who rode on horseback with saddle bags of medicine serving the mountain community and son Senator and Judge William Bower Councill, Jr. (1858-1940) who served North Carolina with distinction. Dr. Jefferson Bostwick Councill, Sr. (1855-1932), and sons Jefferson Bostwick Councill, II, (1904-1932) and Charles Bower Councill, (1902-1992).

**Critcher-** honoring Nathaniel Critcher, who settled in Watauga circa 1820, wife Cynthia Clark Critcher, and their descendants who have served as farmers and businessmen and in leadership roles in the church and community, including the founding of early banking and religious institutions.



**Dougherty-** D.D. Dougherty, his wife, Lillie, and his brother, B.B. Dougherty, helped create the educational landscape of the southeastern U.S. when they worked with citizens of Boone in 1899 to found the Watauga Academy. With support from the state legislature in 1903, the school became Appalachian Training School for Teachers, and later, Appalachian State University. All three taught at the school where D.D. was principal until 1921. He later became business manager until his death in 1929 when Lillie assumed the role until 1938. B.B. was president from 1921 until 1955. For decades, the Doughertys worked sacrificially in the isolated area of Boone to bring opportunity through education.

**Greene-** Three Greene brothers arrived in the Boone area during the late 18<sup>th</sup> century. Richard (c1740-p1816), Jeremiah (1755-1839) & John (1757-1826) all served in the Revolutionary War. A descendant of those who settled in Meat Camp, Pastor Nathan Greene, was first pastor of Perkinsville Baptist Church, and his two sons went on to contribute to the commerce and service of Boone. George Greene built the Gateway Restaurant and Greene Buick auto dealership on King Street, with son George Calvin "G.C.", later joining him at the dealership. Clyde R. Greene built Farmer's Hardware and Watauga Building Supply, served in the state legislature and for several terms as mayor of Boone. Clyde Greene was father to five children, Perry, Cleo, Mary Sue, Cecil and Betty. Perry purchased a construction company in 1946 which became known as Greene Construction. Cecil joined Clyde R. at Farmer's Hardware and Betty joined Clyde R. at Watauga Building Supply. Mary Sue and Cleo impacted the region by serving in both politics and health care. Greene Construction celebrating 75 years honors the family legacy.

Dedicated to the memory of George Calvin Greene "GC". Jr. & Marylin Ellsworth Smith Greene by their son George Calvin "Cal" Greene.

**Greene and Curtis** ancestors are remembered and honored for helping to pioneer the area of Boone and the vast High Country region. Oral and written histories reflect their courage, adventurous spirit, attention to education and deep faith, resulting in their choices to live righteous, exemplary lives. As their descendant, I am thankful for their example and partner to follow the legacy of those who have gone before – Norma Suddreth

**Harrison-** honoring Martin & Jane Critcher Harrison and Joseph Jr. and Nancy Price Harrison, who settled in Watauga in the early-mid 1800s, and their descendants, who have served as educators, farmers and ministers. Rev. Joseph Harrison, Jr. served as the first Register of Deeds 1850-1860 and again 1865-1870

**Moretz and Howard** - The Children of Ralph Dale (1901-1983) and Lola Thompson Moretz (1903-1997), Jane, Dale, Mary and Eddie honor their Forefathers. John (1788-1871) and Catherina Hefner Moretz (1809-1893) came to Watauga County in 1839. John was a millwright who built and operated a grist mill, sawmill, linseed oil mill and a carding mill in the aptly named community of Moretz Mills, where he also served as postmaster. John and Catherina's descendants became prominent leaders in Watauga County and throughout the nation.

Benjamin (1742-1828) and Prudence Sater Howard (1743-1822), had a plantation in Wilkes County. Benjamin pastured his cattle in the High Country calling the current town of Boone his, "western lands." He built a cabin there to shelter his herders and hunters, including his neighbor, Daniel Boone. While a Tory, Benjamin hid from the Patriots on Howard's Knob but later joined the First Maryland Regiment as a Patriot.

Burrell (Howard) (c. 1745-1845), was much more than an African American herder on the Howard Plantation in Wilkes County. He was a guide for Daniel Boone and other hunters, a weatherman, a prophet of freedom, and a respected and beloved friend and founder of Boone and northwestern North Carolina.

**Norris-** The descendants of John Samuel Norris, (1855-1941) and Alice Martisha Houck Norris, (1862-1928) via Norman Cicero Norris, (1895-1984) and Frances Matilda Moretz Norris, (1892-1954) honor their legacies.

**Triplett-** Honoring our many Triplett, Hardin, Brown, McNeil ancestors, who helped settle and build Boone and Watauga County, upon their efforts of hard work and talents in business, agriculture, education, theology, the arts and compassionate service to others throughout the region.

## **Plaque #2**

### **Business Sponsors**

Boone Drug, Inc.  
Councill Fine Art Studio, LLC.  
Creekside Electronics  
Deal, Mosely & Smith , LLP.  
Eggers, Eggers, Eggers & Eggers, Attorneys at Law  
Greene Construction, Inc.  
Goodnight Brothers  
Miller and Johnson, PLLC  
Wilcox Drug Co.

Ioncon Engineering, Inc.  
Highland Landscaping, Inc.

### **Organizations**

Daniel Boone Chapter-National Society  
Daughters of the American Revolution  
Three Forks Baptist Association  
North Carolina Daniel Boone Heritage Trail, Inc.

## **Continued...Plaque #2 (Not formatted)**

All My Beforees  
By Rebecca Triplett-Johnson

I call to the pieces of all my beforees  
that dwelt midst the centuries and fought through the wars, that ruled from the kingdoms and rode  
through the moors. I call to the pieces of all my beforees.

I call to the teachings of all my beforees  
that led from the pulpits and inside college doors, that seeded the minds of fertile scholars.  
I call to the teachings of all my beforees.

I call to the artists of all my beforees  
who created the music and wrote many scores, who painted the works through museum doors. I call  
to the artists of all my beforees.

I call to the builders of all my beforees  
who lived in the mountains and sailed to the shores, who farmed all the lands with strenuous labors.  
I call to the builders of all my beforees.

I call to the spirits of all my beforees  
who circle my being with generational lores, who bless me with strengths for new endeavors. I call to  
the spirits of all my beforees

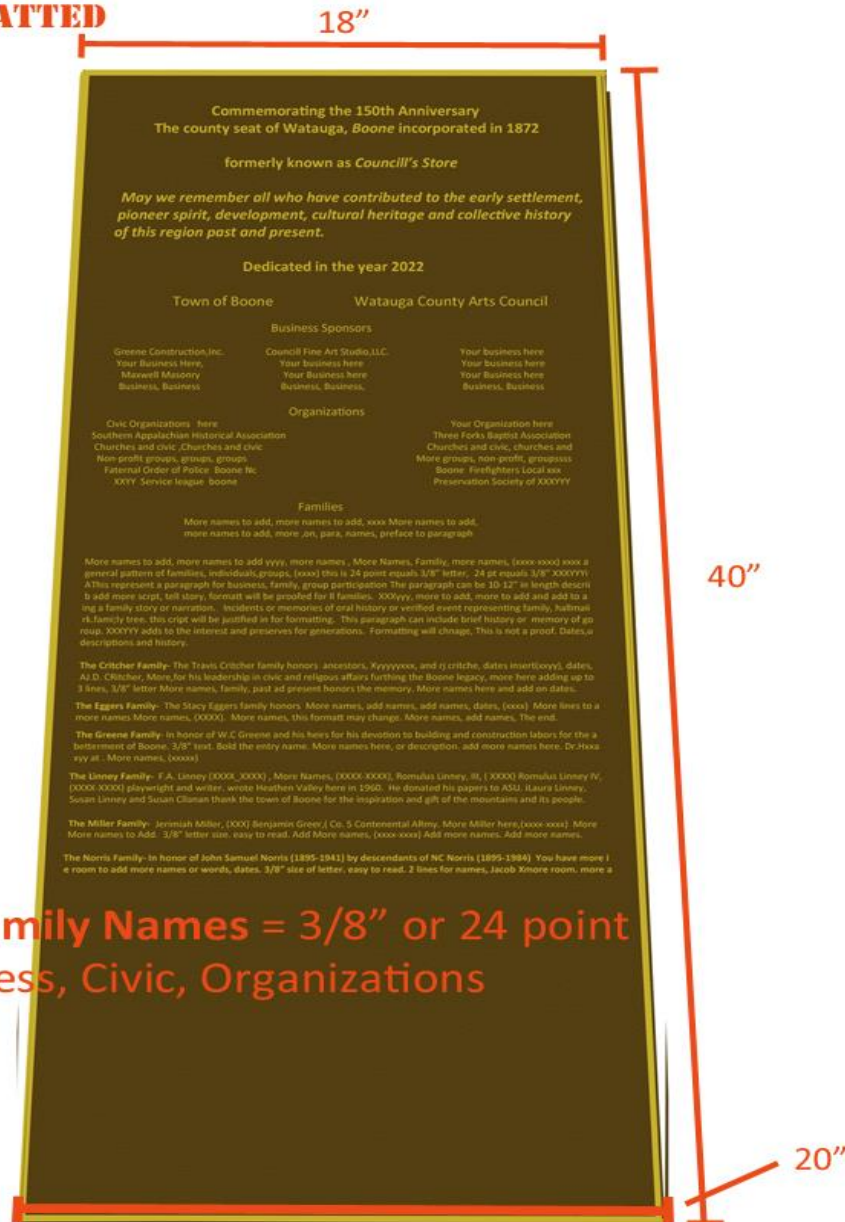
## Sample Plaque- (1 of 4):

- (2) Continuation of Families, Business, Organizations, Individuals
- (3) Tribute to Education, Historians, Scholars who contributed to Boone's development
- TBD 2024
- (4) Tribute to Arts and Culture of Watauga County- TBD 2025

Refer to other sample formats: <https://www.longviewgraphicsnc.com/>

Thick Machined Bronze Plaque Insert- Trapezoidal, raised bold and regular justified copy, brushed natural bronze letters and borders, textured recessed background-brown patina; custom to blend w/ Bronze Busts, 5/16" thickness. SEE: <https://www.longviewgraphicsnc.com/>

**NOT A PROOF**  
**SAMPLE TEXT ONLY**  
**NOT FORMATTED**



**Size of Family Names = 3/8" or 24 point**  
**Business, Civic, Organizations**

## **Artist Qualifications/Endorsements**

*Councill Fine Art Studio, LLC. Is a North Carolina Corporation licensed in all states and internationally. A Woman Owned Small Business, (WOSB) status and contractor listed with the U.S Government. Owner/Artist Brenda M. Councill, contracts and creates commission-based large-scale public art, community place making, educational workshops, lectures and volunteer enterprises. A biography is enclosed and visit:*

<https://www.councill.net>

Renowned artist, **Brenda Mauney Councill** currently specializes in large-scale public art murals and sculpture, particularly domed ceilings, tackling projects that often put her high in the world of art. She recently completed *The Largest Contemporary Painted Dome in the Southeast*. Councill has been doing such large-scale projects for the past 15 years, the latest phase in her 40-year, award-winning career. Her projects span the globe and can extend for months with large-scale ceiling and wall murals in public places and landmark buildings.

**Martha Stewart** visited the David H. Murdock Core Laboratory Building's ceiling dome and climbed the 100 feet of scaffolding to meet the artist, and exclaimed, "*Councill is Michelle-angelo!*". Ms. Councill's work appeared on the **Oprah Winfrey** show after the media titan visited North Carolina. Her popularity among collectors and the public's interest has been the focus of a PBS/UNC-TV segment on the artist. FOX, CBS and NBC affiliates have all run footage on Councill's painted ceilings and other public work projects.

Educational projects awarded to Councill include massive murals, "The Quest for Knowledge" in the new **Belk Library** on the campus of **Appalachian State University** in North Carolina. *Her newest monumental sculptural ceiling mural, "The Language of Symbols" commission, includes bas-relief embossed copper elements combined with trompe l'oeil crowning the grand foyer of the College of Education Building.* Another signature ceiling mural on the subject of Biology, "*The Spiral of Life*" can be seen in the Belk Atrium of **Presbyterian College** in South Carolina. **Hickory Museum of Art** featured a retrospective of her monumental murals in 2012. She was selected and awarded the commission to paint a symbolic wall by the prestigious **International Institute of Technology, Mumbai, India.**

Brenda grew up in **Jacksonville, Florida** and her career was launched in 1963 at the age of 7 with her debut exhibition of paintings at the *Jacksonville Museum of Arts and Sciences*. Her first televised interview attracted regional attention and yielded important commissions, which led the 11-year-old artist to design and supervise the installation of her first outdoor sculpture. This early recognition of her talent motivated the creation of design projects that attracted the national media attention including an appearance on NBC's TODAY SHOW. She was given a commemorative "Key to the City" in 1976. Her award-winning **Historic Old Mandarin** series of limited edition prints and drawings begun in 1977 are still widely collected today.

In 1987, she opened a second studio in New York and began an impressive list of solo and group exhibitions that previewed her signature work of paintings and mixed metal constructions. The famed Circle Gallery hosted a major venue that gained widespread acclaim from such sponsors as **The Smithsonian Air and Space Museum, The Susan and Stephen Geller Foundation, The Advertising Club of New York Foundation and The National Arts Club.** Corporate collections include **DuPont, AT&T, Credit Suisse, British Airways, Jones Apparel Group, The Canadian Imperial Bank, Suntrust, 1<sup>st</sup> United Bank, Gate Petroleum, Shurtape Technologies, The Belk Group** and many more. Private collectors include **Roberta Von Schlossberg, Sidney Kimmel, David H. Murdock, Llywd Ecclestone, Greek shipping magnate Stavros Niarchos, Carol and Irwin Belk, and Hollywood accolades from the late Greta Garbo, Michael Douglas, Samuel L. Jackson, Connie Stevens, and Martha Stewart.**

## Permanent PUBLIC MURALS and Sculpture

- 2023 National Finalist winner for the “Women’s Monument” , State of Ohio, Columbus Statehouse
- 2020 40’ diameter Ceiling and wall murals for National Register of Historic Places- Hotel Roanoke, Roanoke, Virginia
- 2019 50’ Historical Mural for Appalachian Theater of the High Country, Boone, NC
- 2017 Life-size Bronze Sculpture,” Elliott Daingerfield en plein air”, Historical Society, Blowing Rock, NC
- 2016 Gateway Public Mural- Percent for Art Program, City of Roanoke, VA.
- 2015 Corner Store Initiative Exterior Public Mural, Downtown, Concord, NC
- 2014 Cabarrus Health Alliance Interior Public Murals, Kannapolis, NC
- 2013 “Tape by Tape” ,Shurtape Technologies Corporate Office, Hickory, NC
- 2012 “Heaven’s Light”, Rumble Memorial Presbyterian Church, Ceiling Mural, Blowing Rock, NC
- 2011 “Transmission”, Mixed Media Ceiling Mural, Appalachian State University, College of Education, NC  
Dept. of Health and Human Svcs. –WIC Educational Murals, Cabarrus County, NC
- 2010 Educational Wall Murals -The Academy at Ocean Reef, Key Largo Fl.  
Dept. of Health and Human Svcs.-Educational Murals- WIC, Lenoir, NC.
- 2009 “Into the Future” Wall Mural- Indian Institute of Technology, Mumbai, India  
Grandfather Home and School for Children, Inspirational Murals, Banner Elk, NC.
- 2008 North Carolina Research Campus, *Largest Painted Dome in the Southeast*, Kannapolis, NC
- 2007 Presbyterian College, “*The Spiral of Life*” Ceiling Mural Belk Atrium Ceiling- Clinton, SC  
Belk Library, “*The Quest for Knowledge*” Appalachian State University- Boone, NC
- 2006 St. Mary’s Hospital, New Women’s Center, (4) Ceiling Domes - Athens, GA
- 2005 Penn-Florida Building, Exterior Wall, Architectural Trompe l’oeil - Boca Raton, FL

### Corporate and Non-Profit Sponsors, Private Collections –1974-2014 Murals, Paintings, Prints, Sculpture

United Arts Council, Smithsonian-Air and Space Museum, The Susan and Stephen Geller Foundation, Advertising Club of New York Foundation, DuPont, AT&T, CSX Transportation, Credit Suisse, Gate Petroleum, Canadian Imperial Bank of Commerce, City of Jacksonville, Fl., Synovus Bank, Ist United Bank, Fl. Shurtape Technologies, LLC., Irwin and Carol Belk, Hickory Museum Of Art, NC., Mandarin Historical Museum Permanent Collection, Fl., Castle Cooke, NC., David H. Murdock Foundation, SunBelt, NC., U.S Dept. of Health and Human Services, State of NC., Moet-Chandon, Seagrams Beverages, Inc., IIT Institute, India, John Smoltz, Sidney Kimmel, Roberta Von Schlossberg, Sen. Bob Dole, Llywd Ecclestone and the late Greta Garbo.

### Selected Solo Exhibitions- 1980-2012 Murals, Mixed Media, Prints

- 2016 “The Chinese Wedding” painting dedicated by Dr. Alice Roess to Appalachian State University, NC
- 2012 “Mural in the Making” Live Exhibition Hickory Museum of Art, NC.
- 2011 “Transmission” Ceiling Mural-College of Education, Appalachian State University, NC
- 2010 “Murals of Hope”, Dedication, Grandfather Home and School for Children, NC
- 2007 “The Quest for Knowledge”- Dedication sponsored by ASU Foundation - Boone, NC  
“The Spiral of Life”- Dedication sponsored by Presbyterian College Foundation, SC
- 2005 Architectural Trompe l’oeil Mural sponsored by 1st United Bank, Boca Raton, FL
- 2004 Historic Landmark Mural, Unveiling sponsored by The Boca Raton Historical Society, FL
- 2000 King Plow Arts Center, mixed media constructions- Atlanta, GA

### 1999-1980 Selected

Advertising as Art- National Arts Club, New York, NY  
Seen and Unseen, Mixed media exhibition, Ingbar Gallery, New York, NY  
Spruill Arts Center- “Trompe Loeil”, Atlanta, GA  
Eye to the Future, mixed media installation, King Plow Art Center, Atlanta, GA  
Here and now, mixed media constructions, RVS Gallery, Southampton, NY  
Curators Selection, mixed media constructions and prints, Circle Gallery, New York, NY  
Passions, mixed media constructions and prints, Jack Gallery, New York, NY

### Selected Publicity and Media

- 2015 Charlotte Observer, “Healthy Eating Mural, A National Initiative”
- 2013 Jacksonville Times Union, Jacksonville, FL., “Native Artist featured in Exhibit.”
- 2012 Hickory Record, “Mural WOWS Audiences”
- 2011 New York Times Sunday Magazine, High Country Magazine
- 2008-9 “The Oprah Winfrey Show”, NBC, FOX, CBS, PBS, The NCRC Dedication, Kannapolis, NC -10/20/08, “Our State Magazine”, NC, Charlotte Observer,  
“The Lettuce is 11 feet High ”, Front page., Salisbury Post, Independent Tribune, Watauga Democrat, High Country Mag.
- 2007 “North Carolina Now”, (PBS) UNC-TV, feature Brenda Council ASU Wall Mural, Charleston, SC., Garden and Gun, Georgia Architect Magazine.
- 2006-1977 NBC Today Show, Mike Douglas Show, Dinah Shore Show, ARTV Las Vegas.



## **Selected Endorsements**

*"A great North Carolina artist! Her work is comparable to the great sculptor, Harriet Hosmer"*

**Dr. Lawrence J. Wheeler, CEO and Director, (RET.) North Carolina Museum of Art**

*"I selected Brenda Council and her team after a worldwide search. She exceeded my demanding expectations, and visitors to my 80,000 sq. ft. Core Laboratory building [at the North Carolina Research Campus] are immediately awestruck, and I am very proud."*

**David H. Murdock, CEO -Dole Foods, Inc.**

*"I have awarded Brenda Council several important commissions that will inspire on a grand scale. Visitors to these Great Halls of Learning and Higher Education will enjoy her work for many generations to come."*

**Irwin "Ike" Belk, Philanthropist, State Senator, (RET.) Former UN Ambassador**

**Commenting on the Appalachian State University Library Mural**

*"The Carol Grotnes Belk Library and Information Commons is a point of great pride on this campus and across western North Carolina. The series of murals being painted by Brenda Council will distinguish this facility even more. It is truly special to have an artist who has such deep roots in the region to bring her talents to this project. Her work will be enjoyed by those who visit the library for years."*

**Dr. Kenneth E. Peacock, Former Chancellor, - Appalachian State University**

*"I have included B. Council's early work as seen in her New York Studio in my national American art collection"*

**Sidney Kimmel, Philanthropist, Art Collector, Film Producer**

*"As a proud supporter of Brenda Council, we are pleased that she will be using our Frog Tape® and Shurtape® Blue painter's tape to assist in the creation of her upcoming mural. We are honored that after its showcase at the Hickory Museum of Art, the mural's permanent home will be in our new corporate office."*

**Stephen Shuford, CEO- Shurtape Technologies, LLC**

*"This is a magnificent mural. The faculty and students look up to find the beginning of life, the fusion of a tumultuous, primordial sky, sun radiating its life-giving rays evoking the elemental forces of nature and the evolution of the plant and animal kingdoms. It is more than we could have anticipated."*

**Dr. John Griffith, President- Presbyterian College Clinton, SC**

*"After climbing one hundred feet of scaffolding, I proclaimed Ms. Council as 'Michelle-angelo'! Stunning and vibrant work!"*

**Martha Stewart commenting on Superfoods Mural- Kannapolis, NC**



## **Proof of Business Entity:**

Legal Name: **Councill Fine Art Studio, LLC.**

Registered: **North Carolina Secretary of State**

SOSLD: **1334668**

Registered Agent: **Brenda Mauney Councill**

Managing Member/Sole Proprietor: **Brenda Mauney Councill**

Mailing Address and Principal Office: **173 Vail Drive, Blowing Rock, NC 28605**

Email address: [bmc@councill.net](mailto:bmc@councill.net) Website: <https://councill.net>

IRS (EIN) **582584150**

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## **U.S Government System for Award Management- SAM**

Registered Entity: **Councill Fine Art Studio, LLC.**

Duns# **832240357**

Cage Code: **5REN9**

Designated: **WOSB**

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## **Proof of Insurance:**

General Commercial Liability Insurance: **The Hartford**  
**(\$2,000,000 ) aggregate limits.**

Principal Contact:

All correspondence should be addressed to:

\* **Brenda M. Councill, Owner/ Manager**  
Physical Mailing Address: **173 Vail Drive**  
**Blowing Rock, NC 28605**

Home Studio Landline: **828.295.9277**

Mobile: **404.210.0866**

Email: [bmc@councill.net](mailto:bmc@councill.net) Alternate email: [loveart50@gmail.com](mailto:loveart50@gmail.com)

## **Resources and Availability:**

Councill Fine Art Studio, LLC. public work is well documented and is concentrated within the national field of large-scale murals and sculpture. Collaboration on public art requires *Councill Fine Art Studio, LLC* to utilize highly skilled fabricators, engineers, compliance inspectors, installers, licensed, insured transport and storage facilities.

- *Concerted efforts to specify **North Carolina** based companies are a priority.*
- *Evaluation and availability of NC companies to perform quality work on schedule*
- *Competitive pricing considerations (southeast region)*
- *In state network should be assessed for cost efficiency*

The selection of recommended vendors will ensure production of museum quality bronze castings and stainless-steel fabrication and are based on personal experience, competitive pricing, use of superior material, project deadline performance, delivery and installation practices.

All *public projects of scale* require experience and a working knowledge of commercial building codes, fabrication best practices, engineering and OSHA compliance. Councill Fine Art Studio, LLC. has collaborated with many award-winning commercial architectural firms including Lord, Aeck and Sargent, LS3P Associates, JMD Architecture, PFVS Architecture, Bhide-Hall Architecture and Creech & Associates.

Additionally, *Councill Fine Art Studio, LLC* and its preferred vetted contractors and vendors have never missed a construction deadline.

## **Steel Base Fabrication, Sculpture fabrication, Support Armature, Delivery and Install**

To be conducted by preferred vendor:

**American Bronze Foundry, INC.**- The national leader in the bronze casting and fabrication  
1-800-881-8090

Construction Phase and preferred Contractors:

North Carolina and Tennessee quarried stone: Highlands Landscape, Inc.

Greene Masonry, Boone, NC. - Base component

Pre-cast components: Lucas Concrete, Charlotte, NC ,

Consulting Contractor: Greene Construction, Boone, NC

## **Recommended Maintenance Schedule**

**Bronze** requires the least amount of maintenance and is considered the most durable material along with stone and is the preferred choice for public art.

The bronze sculpture leaves the foundry with a *protective clear coat* and a specialty wax is applied to the surface for additional protection.

**Warranty: This Bronze Sculpture as designed is guaranteed for 10 years by Councill Fine Art Studio, LLC.** against, mechanical or structural breakdown or dislocation by non-storm induced wind. NC Commercial Codes may require area wind load/rating compliance.

### **Annually:**

#### **\*Bronze sculpture**

An annual Spring –time cleaning is recommended. A sunny day insures proper drying.

- 1) Lightly **brush the surface** using a new, clean natural or nylon bristle brush.
- 2) Use a **“tack cloth”** to remove dust, and debris in crevices. Tack clothes are impregnated with a material that draws dust and small particulates to the surface for easy removal.  
Available at any paint store or home improvement store.
- 3) Rinse the bronze with **distilled water** and add a few drops of JET-DRY Rinse aid used in dishwashers, (this helps speed drying and prevent water spots) Use micro-fiber sponges or soft micro-fiber cloth.  
Let dry.
- 4) Apply a **TREWAX Clear Paste Wax** (Trewax Paste Wax contains Brazilian Carnauba, the world's hardest natural wax ensuring a lustrous, hard, long wearing finish.) A slightly warm surface helps the wax application easier to apply and helps spread into crevices. Let dry. Follow manufacturers recommendations.
- 5) Buff with a lint free cloth- Micro-fiber is recommended.

**\*Councill Fine Art Studio, LLC. is available at a reasonable cost to INSPECT, CLEAN and MAINTAIN this sculpture over a 5-year period.**



TOB- THE SESQUICENTENNIAL MONUMENT -  
BRENDA COUNCIL

(ADDRESS LINE 1)  
(CITY), NC #####

SHEET INDEX

|     |             |
|-----|-------------|
| 000 | COVER SHEET |
| 001 | SITE PLAN   |

SCHEDULE OF VALUES

|                          |         |
|--------------------------|---------|
| ELEVATION:               | 0 AMSL  |
| DESIGN WIND SPEED:       | 115 MPH |
| SEISMIC DESIGN CATEGORY: | B       |
| DESIGN FROST DEPTH:      | 24"     |
| GROUND SNOW LOAD:        | 30 PSF  |

|                         |                   |
|-------------------------|-------------------|
| PRIMARY USE FLOOR LOAD: | LIVE LOAD: 40 PSF |
|                         | DEAD LOAD: 10 PSF |

|            |                   |
|------------|-------------------|
| ROOF LOAD: | LIVE LOAD: 35 PSF |
|            | DEAD LOAD: 15 PSF |

SCOPE OF WORK

PER CONTRACT BETWEEN  
(CLIENT NAME) AND IONCON:

GENERAL NOTES

- ALL CONSTRUCTION SHALL MEET 2018 NORTH CAROLINA STATE BUILDING CODE: RESIDENTIAL CODE.
- ALL HARDWARE AND FASTENERS CONTACTING PRESSURE TREATED MATERIAL SHALL BE APPROVED FOR USE WITH CORRESPONDING WOOD TREATMENT.
- ALL LUMBER CONTACTING CONCRETE SHALL BE PRESSURE TREATED.
- ALL WOOD CONNECTORS SHALL BE INSTALLED PER MANUFACTURER SPECIFICATIONS UNLESS NOTED OTHERWISE.
- CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS. DRAWINGS REPRESENT TYPICAL CONDITIONS. AS-BUILT CONDITIONS MAY EXIST.
- ENGINEER NOT RESPONSIBLE FOR UN-COMPACTED FILL.
- FLASHING, COUNTER-FLASHING AND WATERPROOFING BY OTHERS.
- IONCON ENGINEERING IS ONLY RESPONSIBLE FOR THE STRUCTURAL ASPECTS AS REFERENCED HEREIN.

MATERIALS

STEEL FRAMING: A992 Fy 50 KSI  
STEEL COLUMNS: A500 GR. B Fy 46 KSI  
CONVENTIONAL LUMBER: SPF OR SYP, #2 OR BETTER  
ENGINEERED LUMBER: LVL: Fb=3100PSI, E=2000KSI, OR BETTER  
BOLTS: ASTM A307 OR BETTER  
CONCRETE: 3000 PSI AT 28 DAYS  
REINFORCEMENT REBAR: 60KSI  
EPOXY: SIMPSON SET EPOXY OR EQUAL  
WELD ROD: E70XX  
PLATE STEEL: ASTM A36  
HARDWARE: SIMPSON STRONG-TIE OR EQUAL  
DRAINAGE PIPE: MEET ASTM F405  
DRAINAGE STONE: #57 TYPICAL  
MASONRY: 8x8x16 CMU BLOCK.  
WELDED WIRE MESH: 6x6 W1.4/1.4 WIRE MESH



VICINITY MAP

NOT TO SCALE



PRELIMINARY  
NOT FOR  
CONSTRUCTION

PATRICK A. BEVILLE PE, LEED AP  
IONCON, PLLC P-0820  
2554 HWY 105  
BOONE, NC 28607  
(828) 264-8500  
INFO@GOIONCON.COM

IONCON  
ENGINEERING + DESIGN

TOB- THE SESQUICENTENNIAL MONUMENT -  
BRENDA COUNCIL

SITE ADDRESS: (ADDRESS LINE 1), (CITY), NC #####  
OWNER: (OWNER FULL NAME)  
CLIENT: (CLIENT NAME) (CLIENT COMPANY)  
(CLIENT PHONE NUMBER) (CLIENT EMAIL)

COVER SHEET

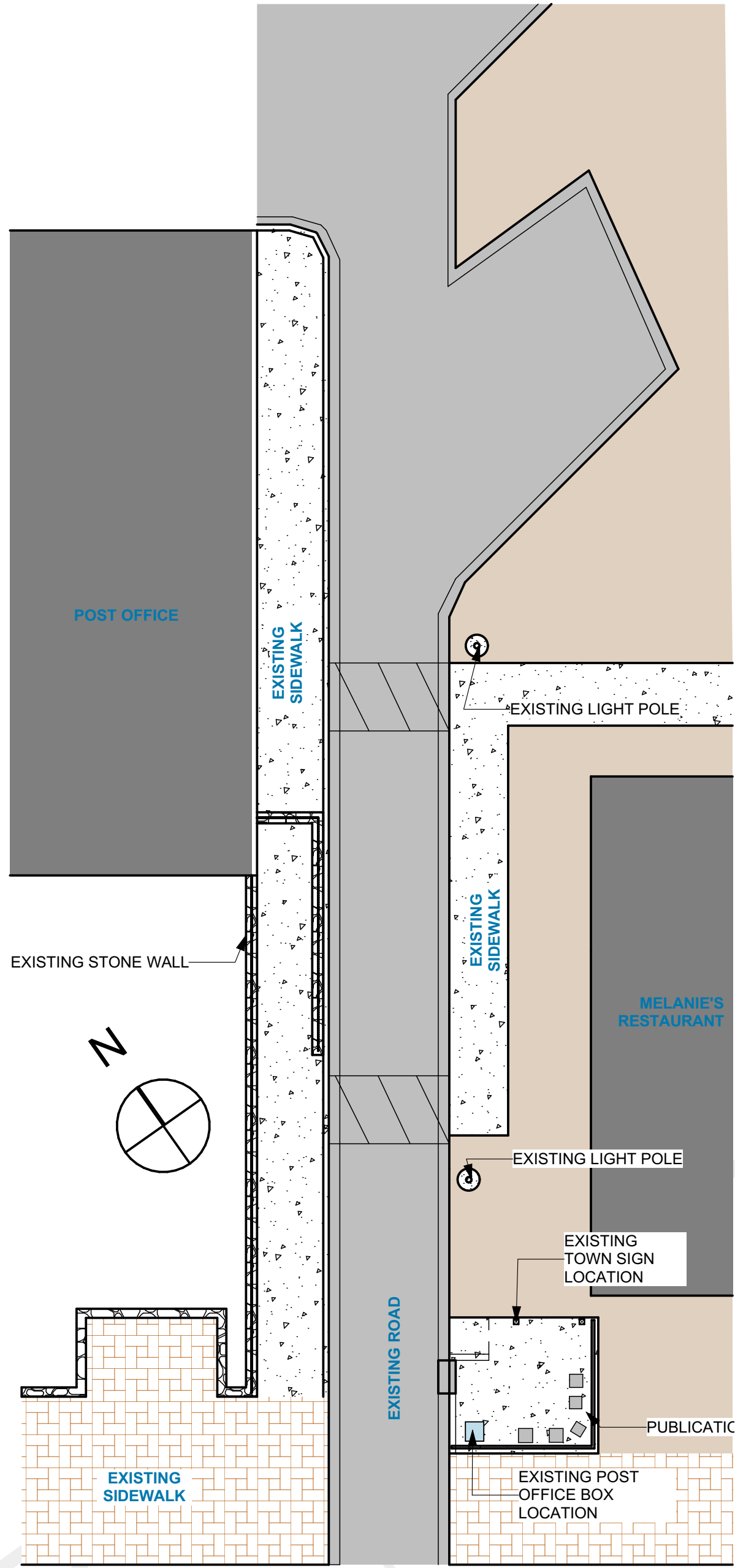
| QC  | BY | DATE   |
|-----|----|--------|
| BOD | -  | ###/## |
| DST | -  | ###/## |
| CNS | -  | ###/## |
| CDE | -  | ###/## |
| COM | -  | ###/## |

|       |           |
|-------|-----------|
| DATE  | 7/20/2023 |
| SCALE | AS NOTED  |
| DRW   | RMT       |
| EIT   | PAB       |
| JOB # | 21####    |

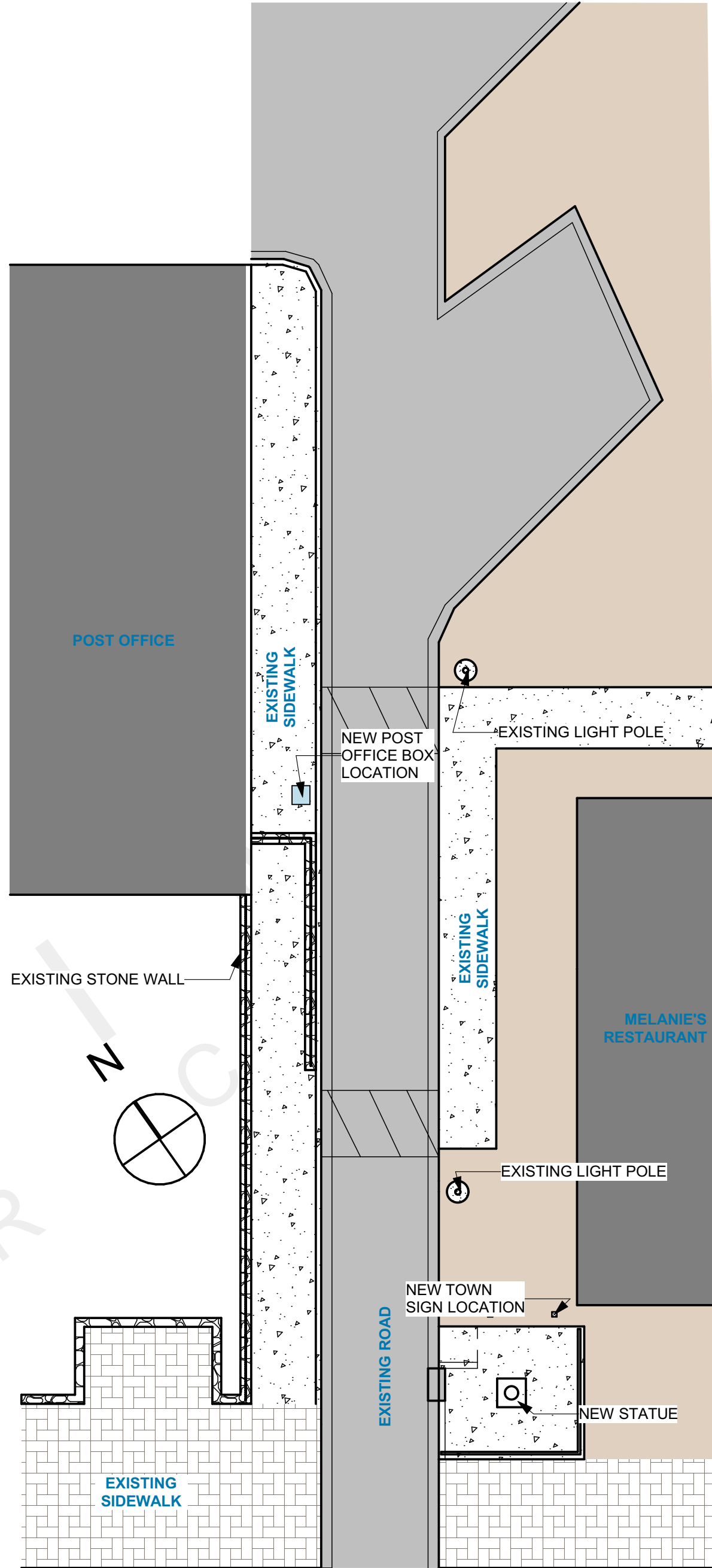
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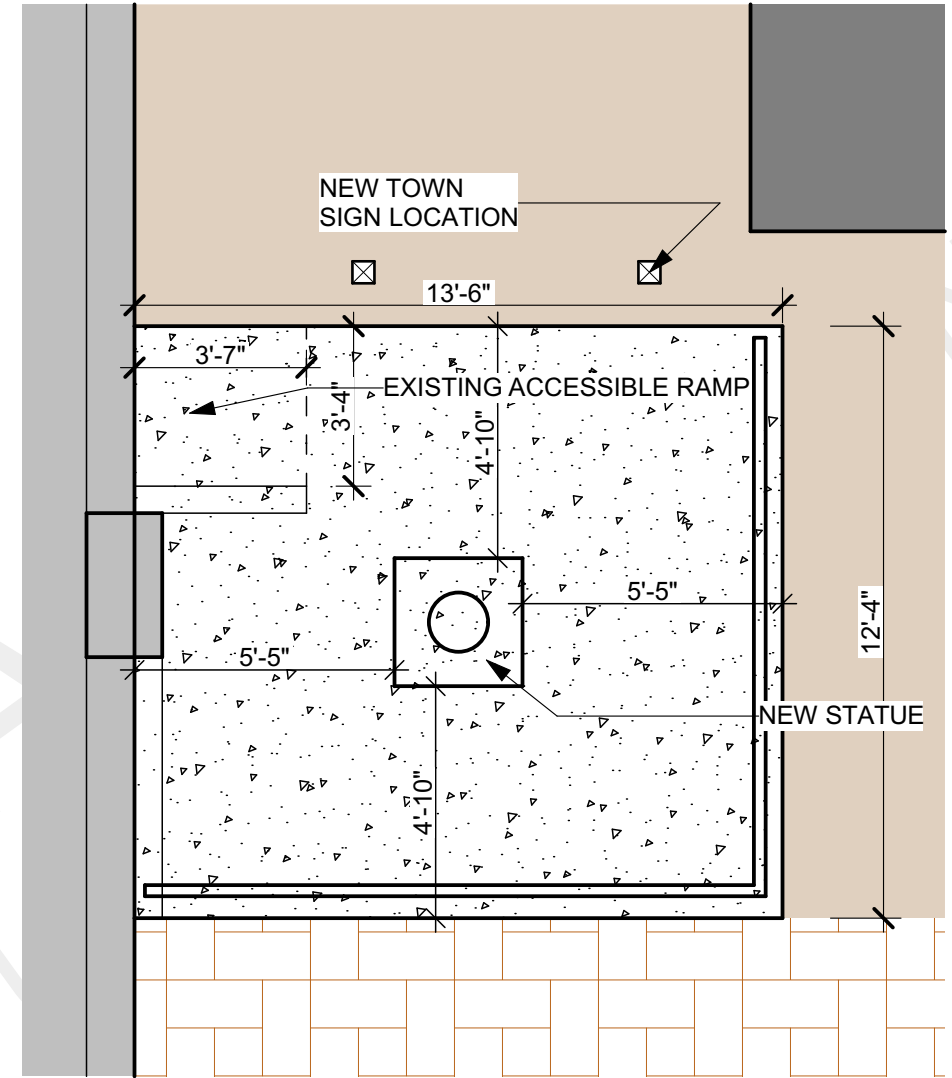
D:\TOB-HISTORICAL STATUE-KING ST.pln Thursday, July 20, 2023 3:29 PM



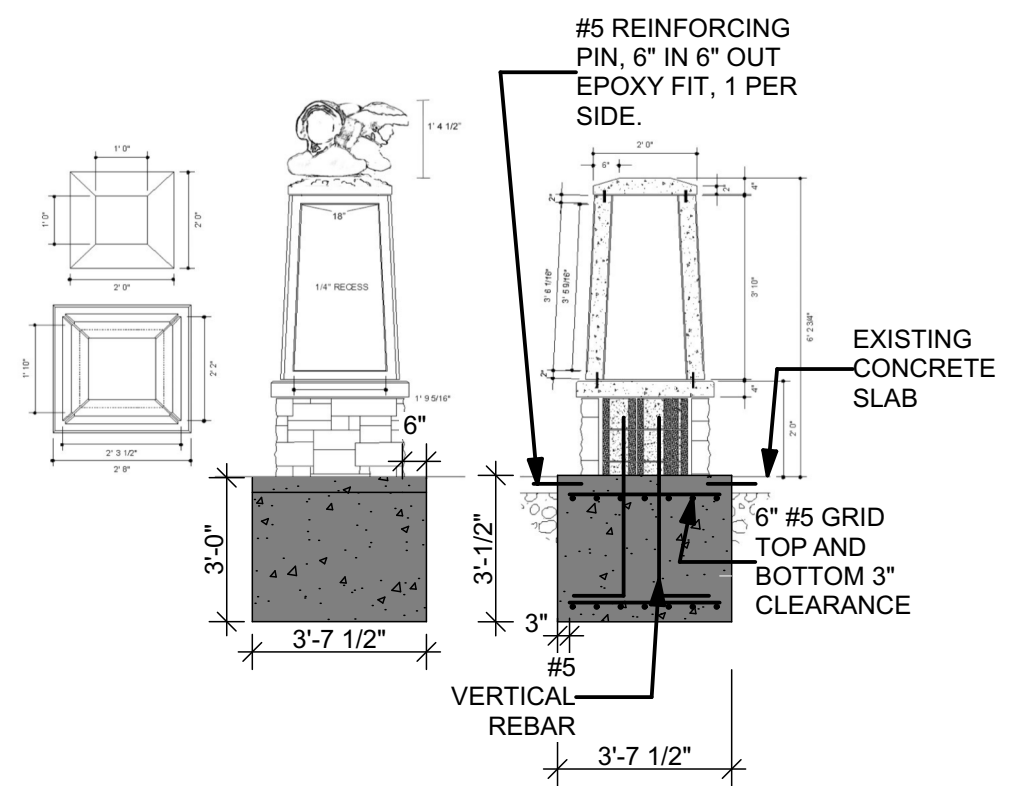
1 SITE PLAN  
3/32" = 1'-0"



2 NEW SITE PLAN  
3/32" = 1'-0"



3 ENLARGED PLAN  
1/4" = 1'-0"



4 STATUE SPECS  
1/4" = 1'-0"

PRELIMINARY  
NOT FOR  
CONSTRUCTION

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BRENDA COUNCIL

SITE ADDRESS: (ADDRESS LINE 1), (CITY), NC ####  
OWNER: (OWNER FULL NAME)  
CLIENT: (CLIENT NAME), (CLIENT COMPANY)  
(CLIENT PHONE NUMBER) | (CLIENT EMAIL)

SITE PLAN

| QC  | BY | DATE      |
|-----|----|-----------|
| BOD | -  | ###/##/## |
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| CNS | -  | ###/##/## |
| CDE | -  | ###/##/## |
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| DATE  | 7/20/2023 |
| SCALE | AS NOTED  |
| DRW   | RMT       |
| EIT   | PAB       |
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# Historic Photos of the Downtown Boone Post Office for HPC Advisory Art Review

Disclaimer: Planning Staff acquired these photos by searching through Digital Watauga. In a brief search for the property, Staff found the following images. Images presented are a the best possible size for the image quality. Some images are presented on a separate page with the corresponding cropped image.







Image Courtesy: Unknown, "Children in 1952 Spring Clean Up Parade (1/2)," *Digital Watauga*, accessed July 24, 2023, <https://digitalwatauga.org/items/show/6449>.









Image Courtesy: Unknown, "Children in 1952 Spring Clean Up Parade (2/2)," Digital Watauga, accessed July 24, 2023, <https://digitalwatauga.org/items/show/6450>.















Boone Historic Preservation Commission  
Local Landmark Designation Report

R. L. Clay House  
(Rivers House)



Prepared by Ellie McCorkle  
with assistance from the  
Boone Historic Preservation Commission  
July 2023, Final Draft

# R. L. Clay House (WT0530)

## I. General Information

- A. Common and Historical Property Names
  - 1. R. L. Clay House (Ca. 1933-1945)
  - 2. R. C. Rivers House (Ca. 1945-Present)
- B. Physical Address or Location
  - 1. 150 Clay House Dr., Boone, NC 28607
    - a. North (primary) elevation faces Rivers Street
- C. Tax Parcel Identification Numbers (PIN)
  - 1. PIN: 2900-78-3934-000
  - 2. PIN: 2900-69-9070-000
  - 3. PIN: 2900-79-0308-000
- D. Current Owner Name
  - 1. The current owner is the Town of Boone and has been since the donation of the house and related properties beginning in 1998. There was a life tenancy included with the house deed, but this person left the house permanently in 2011 and no longer survives. It has been uninhabited since and used for storage.
- E. Current Owner Mailing Address(es)
  - 1. 567 West King Street, Boone, NC 28607
- F. Appraised Value of the Property (2022)
  - 1. PIN 2900-78-3934-000: Total value \$682,200. Land value is \$55,300 and building value is \$626,900.
  - 2. PIN 2900-69-9070-000: Land value is \$821,100.
  - 3. PIN 2900-79-0308-000: Land value is \$108,600.
- G. Date of Construction
  - 1. House: Circa 1933
  - 2. Garage: Before 1940 (perhaps 1933)
- H. Historical Significance
  - 1. Criterion B: Association with Significant Person(s), 1945-1998
  - 2. Criterion C: Architectural Significance, 1933-1940

*The original report drafted by Ellie McCorkle was substantially revised and edited into this final version by the following members of the Boone Historic Preservation Commission: Elizabeth Bond, Eric Plaag, James Sharp, Charles Watkins, and Riley Ziegler.*

*The 1950 cover image of the R. L. Clay House, taken from the northeast, is used courtesy of the Palmer Blair Collection, Digital Watauga Project.*



## II. Brief Statement of Significance

The R. L. Clay House is proposed for designation as a local historic landmark due to its high level of local significance for 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 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., and daughter of R. C. Rivers, Jr., was raised in the home before she took over the *Watauga Democrat* following her father's death in 1975 and continued to run the paper until 1994. She and her husband Paul Armfield Coffey donated the property to the Town of Boone in 1998.

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 and completed 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 the construction of other Colonial Revival, native stone buildings during the mid to late 1930s. Also included as a contributing resource in this designation is the two-story, native stone garage to the southeast of the home, which was likely constructed simultaneous to the house and certainly before 1940. There is a prize sugar maple tree, "Baby," that straddles two of the parcels within the boundary to the northwest of the R. L. Clay House. At the northeast end of the boundary is Rivers Park, a stone monument area built in 2005 containing a reconstruction of historic Daniel Boone Monument that originally stood several hundred yards to the southeast. 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.

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. The Town of Boone acquired all three parcels through donations by 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 Clay and Rivers holdings were either subdivided or sold off, then 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.

## III. Architectural Description

The R. L. Clay House is a 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, toward present-day Rivers Street. The house sits perpendicular to another street historically known as South Water Street (recently 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 shingles were removed in 2015 and replaced with more traditional asphalt shingles.

The north (front) façade 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 piers at its 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 windows with a wooden surround, stone sill, and 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 sill, 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 floor 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 cheek 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 of Clay House Drive, 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 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 roofline 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 a 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.<sup>1</sup>

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 northeast 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 feature, known as the Daniel Boone Monument (WT0567), is a stone obelisk with a pinnacle of either parged stone or concrete, capped by a rough stone finial; together, they stand approximately 25 feet tall. This monument is a replica of one built twice before and originally meant to denote where a cabin once stood that local legend alleges may have been inhabited seasonally by Daniel Boone in the late eighteenth century.<sup>2</sup> Commemorative tablets from the original monument are mounted within the base of the present iteration of the obelisk. Surrounding the monument is a native stone, circular wall, bisected by entries at the east and

<sup>1</sup> Almost the entirety of this architectural description is taken, with minor adjustments, from Eric W. Plaag, et al, "Comprehensive Architectural Survey of Downtown Boone, North Carolina," (Boone, NC, February 2021), 97-101, <http://www.townofboone.net/DocumentCenter/View/1334/Comprehensive-Architectural-Survey-of-Downtown-Boone-North-Carolina-2021>.

<sup>2</sup> The original version of this monument stood on the north side of the intersection of Stadium Drive and Rivers Street, near the present Daniel Boone and Dogs statue. This original version was composed of rough-cut, stone blocks with a pyramidal cap of concrete that tapered in a phallic, pyramidal spearpoint. In 1968, the monument was deconstructed and moved approximately 50 yards to the east to a point just northeast of the former location of Justice Hall dormitory, just southeast of Stadium Drive, where it was reconstructed in April 1969. This reconstruction used entirely different materials and was proportioned differently in terms of overall height and the proportions of its cap. This version was demolished in 1994. After rescuing the original engraved tablets from the original monument, the Town of Boone reconstructed the monument at Rivers Park in 2005. For more on this feature, see Plaag, "Comprehensive Architectural Survey," 101-02, from which much of the description in this note is taken.



west ends. Portions of the south portion of the perimeter wall are stepped with the terrain, and all elements of the wall are capped by a concrete slab. Additional commemorative plaques are adhered to the south portion of the perimeter wall.

No significant archaeological features are known to be on the property at this time.

### *Integrity*

The association between this property and the Rivers family is undivided and uninterrupted during the period of 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 house and garage have never been moved and are still associated with much of the original acreage the Rivers family would have enjoyed while residing at the property. The design of both the residence and the garage is original and still retains the original features that make both buildings architecturally significant. The alteration of the south porch of the residence from an open to an enclosed porch appears to have occurred during the 1970s, and while the materials used for this porch do not match the stonework of the rest of the house, this is a relatively minor change to the tertiary elevation of the house, so the impact on material and design integrity is minimal. The exterior cladding materials of both the home and the garage are original and in good condition, and they continue to reflect the workmanship of the home's skilled mason, John L. Hickerson (see significance section). The roof was replaced recently on both the house and the garage, but the materials selected generally match the appearance of the original materials. The aluminum storm windows are not original to the home and are in fair condition; this reversible application serves to protect the original windows that are still in place. As far as setting, much of the property is still characterized by the thick forest that remains to the north and west of the home, and "Rachel's Meadow," a bowl-shaped feature to the west and southwest of the home, still retains its topography. Taken together, the landscape and building resources of the property continue to convey the historic feeling of the 1930s, when the home was first built, and the 1940s through the 1990s, when members of the Rivers family resided here. As the home, garage, and surrounding landscape have remained largely unchanged, excepting the south porch of the house, there is little that detracts from the integrity of the property and its building resources.

### *Boundary Justification*

The proposed boundaries of the designation follow the surveyed boundaries for all listed parcels: 2900-78-3934-000, 2900-69-9070-000, and 2900-79-0308-000.<sup>3</sup> These parcels include the house, the garage, a portion of the drive leading to the house and garage (Clay House Drive), the Daniel Boone Monument/Rivers Park, land along the ridgeline to the north and northwest of the house, "Rachel's meadow," and "Baby," the North Carolina state champion sugar maple. The combined acreage for the boundary amounts to 9.54 acres of the original 13 to 15 acres associated with the home under the Riverses's ownership. While this does not include all of the property that was once associated with the Rivers family during the Rivers occupancy, it does include all pertinent

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<sup>3</sup> Rachel Rivers-Coffey and Armfield Coffey to Town of Boone, 28 October 1998, Book of Record 480, Page 494; Rachel Rivers-Coffey and Armfield Coffey to Town of Boone, 28 October 1998, Book of Record 480, Page 496; and Armfield Coffey, personally and as Executor of the Estate of Rachel Rivers-Coffey, to Town of Boone, 26 January 2000, Book of Record 553, Page 297 (Tract III). All references are from the Watauga County Register of Deeds.

buildings associated with the home and its human inhabitants, and the associated parcels are contiguous, making for an uninterrupted boundary. The proposed boundary parcels surrounding the home and garage provide context for understanding the use of the property by those who lived in the home during its historically significant periods in the mid-twentieth century.

The first of these parcels, 2900-78-3934-000, contains the R. L. Clay House, the garage, and part of Clay House Drive. It totals 0.26 acres. The second parcel, 2900-69-9070-000, is located to the northeast, north, west, and south of the house parcel and contains Rivers Park, the reconstructed Daniel Boone Monument, and what was once the horse pasture (“Rachel’s Meadow”) for the horses owned by Rachel Rivers-Coffey. It totals 8.15 acres. This parcel and/or the third parcel slightly to the northwest (2900-79-0308-000) contains “Baby,” a champion sugar maple registered with the North Carolina Register of Big Trees.<sup>4</sup> This last parcel contains 1.13 acres.

In total, there were seven parcels historically associated with the Rivers family in this vicinity. The smaller parcel to the southeast (2900-78-3881-000) was donated to the Town of Boone by 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 residence.<sup>5</sup> 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.<sup>6</sup> Because the Rivers family did not control this parcel until 1984, it is not included in the designation boundary. Three other parcels (2900-69-6458-000, 2900-69-4353-000, and 2900-69-8483-000) to the west and northwest do not adjoin the parcels proposed for designation or were not originally part of the Rivers holdings; they are thus excluded from the proposed boundary.

#### IV. Historical Background

*John L. Hickerson (ca. 1889-1938)*

Completed in 1933, the R. L. Clay House was the work of a prominent, Black stonemason and contractor, John L. Hickerson (ca. 1889-1938), a Yadkin County native who relocated to Boone about 1920. He was married to Sallie Shearer Hickerson and had no children. In October 1930, Hickerson and his wife took out a deed of trust along with two of his wife’s family members on the lot at the northwest corner of present-day Church Street and North Street, although this property originally appears to have been purchased by the other three parties in 1924, without Hickerson’s participation, suggesting that this was the Shearer residence where Hickerson lived

<sup>4</sup> Direct access to “Baby” is prohibited by the presence of a tall, aluminum, decorative fence around the base of the tree, and aerial GIS maps with parcel lines place the fenced area around the tree on both parcels (9070 and 0308).

<sup>5</sup> “Local Affairs,” *Watauga Democrat*, 1 Jun 1933: 5.

<sup>6</sup> Josiah Clark, “‘Nearly Once-in-a-Lifetime Opportunity’ for Public to Watch House Burning Last Saturday,” *High Country Press*, 1 June 2015, online, <https://www.hcpres.com/front-page/boone-fire-department-burns-down-old-white-house-at-rivers-park-to-demonstrate-the-dangers-of-house-fires-in-a-nearly-once-in-a-lifetime-opportunity.html>.

with his wife and in-laws following their marriage.<sup>7</sup> Little else has been documented about Hickerson's private life.

Hickerson built the R. L. Clay House for Robert Luther "R. L." Clay (1889-1945) in 1933, and it's likely that his work also included the stone garage on the property, given that the stonework there closely resembles the stonework found on the house.<sup>8</sup> Hickerson was considered "renowned for his masonry work throughout Boone in the 1920s and 1930s."<sup>9</sup> A single-family dwelling built of native stone by a local, Black mason was not unusually notable in North Carolina at the time, as there were many non-White laborers engaged in the building trades throughout the state during the early twentieth century. Hickerson, however, is the only Black brick mason listed in the 1930 US Census for Watauga County, North Carolina, suggesting that he possessed a unique set of skills among his Black peers for that time period.<sup>10</sup> In particular, the local press noted Hickerson for the quality of his work 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 during the Great Depression.<sup>11</sup> In June 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 also apparently teamed with a prolific local White contractor, Wiley Gordon "W. G." Hartzog (1885-1976), as the primary brick or stone mason on a number of local projects during the 1920s and 1930s.<sup>12</sup> Hickerson was also credited with completing the masonry work on "almost all the newer brick structures of the town," including the First Baptist Church auditorium (WT0611, 1936), the Rivers Printing Company Building (WT0585, 1937), the second Newland Hall dormitory on the Appalachian

<sup>7</sup> Etta Shearer and Lola Shearer, J. L. Hickerson and Sallie Hickerson, to John E. Brown and J. M. Hodges, 30 October 1930, Deed of Trust Book 39, Page 57; and A. E. South and Mae Bell South to Ella Shearer, Lola Shearer, and Sallie Shearer, 11 March 1924, Deed Book 31, Page 486. A frame house is visible at this location in a 1950 aerial image (Pal-Bla-02-002) by Palmer Blair but no longer stands today. This image is visible at <http://digitalwatauga.org/items/show/6030>.

<sup>8</sup> "Real Estate Trade Active: Many Building Projects," *Watauga Democrat*, 29 June 1933: 1; "Local Affairs," *Watauga Democrat*, 1 June 1933: 5; and "John Hickerson Dies on Sunday," *Watauga Democrat*, 13 October 1938: 1.

<sup>9</sup> Plaag, et al, "Comprehensive Architectural Survey," 50.

<sup>10</sup> See Ancestry.com, "Watauga County, North Carolina," *1930 United States Federal Census*, [database online], (Provo, UT: Ancestry.com Operations, Inc., 2002). The 1930 Census listed dozens of Black laborers in Watauga County, most described as being odd jobbers of farmers. There was also a large contingent of Black laborers from the Watauga County State Prison Farm who were apparently leased out as construction workers. None of these other individuals, however, appear to have possessed sufficient training and experience to have been labeled as a skilled mason.

<sup>11</sup> The most prominent White masons working in Watauga County during the 1930s were probably Earl, Clarence, and Leslie Lyons, three contractors with deep roots in Watauga County. See Eric Plaag, "Watauga County Historical Society Announces the Lyon Brothers as Next Inductees to the WCHS Hall of Fame," *Watauga County Historical Society*, 30 June 2022, online, <https://www.wataugacountyhistoricalsociety.org/blog-1/2022/7/1/watauga-county-historical-society-announces-the-lyons-brothers-as-next-inductees-to-the-wchs-hall-of-fame>. For an account of a laborer who worked for Hickerson, see "Leroy Kirkpatrick, Sr., 1910-1993," *Junaluska: Oral Histories of a Black Appalachian Community*, Edited by Susan E. Keefe, (Jefferson, NC: McFarland and Company, 2020), 68.

<sup>12</sup> "Much Building Now Going on in County," *Watauga Democrat*, 14 June 1934: 1.

State Teachers College campus (masonry in 1938, completed in 1939), and the Appalachian Theatre (WT0609, 1938).<sup>13</sup>

### *The R. L. Clay House in an Architectural Context*

The R. L. Clay House was built in 1933 of native stone, a material that was not readily available in Boone until after the arrival of the Linville River Railway in October 1918.<sup>14</sup> Before the mid-1930s, few private homes were constructed using native, cut stone, and the few stone buildings that did exist in Boone prior to 1933 tended to be constructed from stacked fieldstone in mortar or roughly cut fieldstone. Two such Boone buildings were the Advent Christian Church (WT0577, 1926), constructed from native graystone, and the original Linney Law Office (WT0587, 1923), featuring stacked “surface rock.”<sup>15</sup> 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.<sup>16</sup> Another such project just outside Watauga County was a four-story, native stone hospital built in Banner Elk in 1930 by the same people who constructed stone buildings on the Lees McRae campus in 1926.<sup>17</sup> As a residential building material, however, native stone appears to have been used somewhat rarely in single-family dwellings before the mid 1930s. Among the few early examples were a handful of summer cottages built at Blowing Rock in 1913 and Ben Smith’s bungalow built near Appalachian State Teachers College in 1927, better known as the Bushnell Cabin (WT0522). Another example was Dr. R. C. Ellis’s summer home built on Orchard Street (WT0546) in 1927 by local contractor Will Hodges. Another such home was the Howard Miller House (WT0509) on Delmar Street, presumed to have been built about 1930. None of these examples rivals the R. L. Clay House in size or architectural sophistication.<sup>18</sup>

The construction of the stone residence for R. L. Clay in 1933, however, marked the beginning of a new and popular trend that continued throughout the middle and late 1930s. In the summer of 1934, for example, single-family, stone dwellings were being built in the Boone area for Professor J. A. Williams near the Appalachian State campus, R. T. Greer on Boone Trail

<sup>13</sup> “David Horton,” *Junaluska*, 107. B. G. Teams was the contractor on the Rivers Printing Company building, suggesting that Hickerson was subcontracted to lay the brick. See Plaag, et al, “Comprehensive Architectural Survey,” 110-11; and “John Hickerson Dies on Sunday,” *Watauga Democrat*, 13 October 1938: 1.

<sup>14</sup> For a history of the Linville River Railway, see John R. Waite, *The Blue Ridge Stemwinder*, (Johnson City, TN: Overmountain Press, 2003).

<sup>15</sup> The Advent Christian Church is frequently attributed incorrectly to 1920; it was actually completed in 1926. See “Advent Christian Church to Open,” *Watauga Democrat*, 19 August 1926: 1. Regarding the Linney Law Office, see “Local Affairs, Town and County,” *Watauga Democrat*, 6 December 1923: 5. For all survey-referenced properties, see the survey files listed by number, which are held by the NC State Historic Preservation Office in Asheville, NC.

<sup>16</sup> “Banner Elk News,” *Watauga Democrat*, 19 July 1928: 1.

<sup>17</sup> “New Hospital at Banner Elk Is Near Completion,” *Watauga Democrat*, 24 July 1930: 1.

<sup>18</sup> “Blowing Rock in Brief,” *Watauga Democrat*, 1 May 1913: 2; and “The Tattler,” *Watauga Democrat*, 7 July 1927: 5. Smith built the Bushnell Cabin using stone quarried from a mountain a short distance away on Highway 105; no mortar is visible in the stonework. Regarding the Ellis summer house, see “Local Affairs,” *Watauga Democrat*, 4 August 1927: 4. The Ellises spent just one summer in the house after its completion, then routinely rented it out and stayed at the W. H. Gragg House on Gragg Street as boarders in subsequent summers. See “Local Affairs,” *Watauga Democrat*, 10 July 1930: 5. Regarding the Howard Miller House, the property was actually sold by J. E. and Nannie Edmisten to Charles and Bettie Lou Wilfong in 1951 (Deed Book 70, Page 161), with no predecessor deed listed or found, long before Miller’s ownership. Its construction date has not been independently verified.



Highway (now US 421), Charles T. Zimmerman in Daniel Boone Park (224 Grand Blvd.), James E. Holshouser, Sr., (WT0544) in Daniel Boone Park, Owen Wilson on the western end of King Street, and H. L. Lyons near the Lovill House at the west end of Boone.<sup>19</sup> Of these, the Holshouser house is probably most analogous to sophistication and size to the R. L. Clay House and was built a year later. It features stone quarried from Shulls Mill; this stone is not cut to provide a flat finish, as at the R. L. Clay House, and instead features boulders that provide a distinctly different appearance. The house also includes unusual Gothic-style features.<sup>20</sup> Ernest Banner of Banner Elk is credited as the mason for this home.

Other stone homes quickly followed during the 1930s. The W. Ralph Winkler House (WT0515) on Blowing Rock Road also features stone masonry and is attributed to Midas Wheeler as stone mason in 1936. Unfortunately, numerous additions and alterations have destroyed the architectural integrity of this property. That same year, Wheeler was also reportedly the stone mason for the construction of the W. F. Miller House on Cherry Drive (WT0539). This home is smaller than the R. L. Clay House, and additions to the house in the late twentieth century have adversely impacted the integrity of the property. In 1937, Guy Hunt reportedly had his home built on Orchard Street (WT0547), with the masonry conjecturally attributed by the surveyor to the Lyons brothers. The Hunt house compares favorably with the R. L. Clay House but appears to postdate its construction. About 1938, yet another stone home with a rock garage was completed nearby for Herman W. Wilcox on present-day Wallace Circle (WT0548). Unfortunately, several late twentieth-century additions have marred the integrity of this property.

The popularity of stone construction in domestic architecture aligns with the introduction of the Works Progress Administration programs of the mid-1930s, which were designed to ease the effects of the Great Depression. In Boone and Watauga County, four schools of stone construction were completed using WPA funding in 1937 alone, and at least six other stone buildings were completed for the local community, county government, and the Appalachian State Teachers College in Boone in 1938 and 1939.<sup>21</sup> Stone buildings were perceived as especially desirable during this period because they were “not only durable but absolutely fire-proof.”<sup>22</sup> Institutional buildings, such as the United States Post Office in downtown Boone (WT0049, 1939), the Courthouse Annex building on North Water Street (WT0607, 1939), various school buildings throughout Watauga County, and about a dozen single-family, faculty homes constructed at Appalachian State Teachers College (WT0529, ca. 1938-1940), less than a mile east of the R. L. Clay House, 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.<sup>23</sup> All of those faculty homes were moved or destroyed as the Appalachian State University rapidly expanded after 1967, decreasing

<sup>19</sup> “Much Building Now Going on in County,” *Watauga Democrat*, 14 June 1934: 1; and “Work on Dwelling to Start,” *Watauga Democrat*, 9 August 1934: 8. Midas Wheeler was the stone mason on the Zimmerman property.

<sup>20</sup> On construction of the Holshouser residence, see “Much Building Now Going on in County,” *Watauga Democrat*, 14 June 1934: 1, 4.

<sup>21</sup> “Ellerbe Lauds School Projects,” *Watauga Democrat*, 22 October 1936: 1; and “26,000 Allotted to Local College,” *Watauga Democrat*, 24 February 1938: 1.

<sup>22</sup> “Lees-McRae Institute Opening at Banner Elk,” *Watauga Democrat*, 16 September 1926: 1.

<sup>23</sup> “Faculty Homes are Completed,” *Watauga Democrat*, 20 October 1938: 8. The homes were completed in stages from 1938 to 1940.

or otherwise destroying their architectural integrity as significance representations of stone, domestic architecture at Boone during the Depression era.

Local lore has spread the belief that many of these stone buildings constructed from the early 1930s to 1940 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. Furthermore, the portion of the Blue Ridge Parkway nearby to Boone did not begin construction until after World War II and was not completed until the mid-1980s. Nevertheless, the mistaken belief that these stone homes were built using stone quarried from the construction of the historic scenic route persists.

The 2021 Downtown Boone Historic Resources Survey listed several native stone buildings, all of which were commercial buildings except for the R. L. Clay House. The Cook-Nichols Motor Company Building (WT0603), which eventually burned in 1996, and the Duncan Motor Company Building (WT0887) were both completed in 1940.<sup>24</sup> The Boone Bus Station (WT0612) was also a W. G. Hartzog project, but its native stone façade was completed in 1946. Following demolition of the entire building in 2011 after its acquisition by Appalachian State University, ASU officials promised to “rebuild” the façade as a curtain wall, allegedly using the original stones in a pattern that mimicked the original design and door and window openings. Close analysis, however, supports recent contentions that there is considerable doubt that the extant stones are the original stonework that comprised the façade of the original bus station.<sup>25</sup> Beyond these later examples of stone construction in Boone, native stone can also be seen in various appurtenant structures and landscape objects around downtown Boone, mostly in retaining walls, sheds, and steps that lead to house sites, many of which no longer stand.

#### *Additional Historic Context, R. L. Clay (1889-1945)*

Robert Luther “R. L.” Clay, for whom the R. L. Clay House 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.<sup>26</sup> 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 Clays 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.<sup>27</sup> This original home was a simple, wood-frame farmhouse that was a commonplace type of residential construction in the early twentieth century in Boone. The first home was moved from the present R. L. Clay House site a short distance to the southeast in order to make space for the native stone building, possibly as part of an agreement between the Clays and Poly C. Wyke, who owned those lots. After a default by the Wykes, the former Clay house and the land surrounding its location were sold to Esther Boone, who was R. L. Clay’s sister-in-law, in 1940.<sup>28</sup> Boone remained in that home for more than four

<sup>24</sup> Plaag, et al, “Comprehensive Architectural Survey,” 165, 329.

<sup>25</sup> Plaag, et al, “Comprehensive Architectural Survey,” 190-92.

<sup>26</sup> “Brief Illness Proves Fatal to R. Luther Clay,” *Watauga Democrat*, 29 March 1945: 1.

<sup>27</sup> “Friday Afternoon Club with Mrs. R. L. Clay,” *Watauga Democrat*, 21 May 1931: 5.

<sup>28</sup> Watauga Building and Loan Association to Esther Boone, 27 July 1940, Deed Book 52, Page 518.

decades. The original Clay home was, unfortunately, destroyed by the Town of Boone in a fire exercise in 2015.<sup>29</sup>

In 1933, Clay, his wife Annie Stansbury Clay, and his daughters moved 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 brick mason and contractor, John L. Hickerson (ca. 1889-1938).<sup>30</sup> It is likely that Clay also had the separate, two-car garage built at about the same time to the southeast of the home, given that the stonework closely resembles that found on the house.<sup>31</sup> Rather than residing full-time in the new home at Boone, the Clays maintained the house 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 *Watauga Democrat* articles regarding the Friday Afternoon Club during the 1930s and 1940s.<sup>32</sup> 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.<sup>33</sup>

The promotion in 1943 appears to have influenced the Clay family's decision to abandon the house at Boone. In December 1944, Clay and his wife sold the house property and some of the surrounding land to Robert Campbell "R. C." Rivers, Jr. (1899-1975), and his wife Bonnie Jean Lewis Rivers (1910-1991).<sup>34</sup> Shortly thereafter, Clay died from complications following an operation to remove his appendix in 1945. He was survived by his wife and five daughters.<sup>35</sup>

### *The R. L. Clay House in the Context of the R. C. Rivers, Jr., Family*

Robert Campbell Rivers, Sr. (1861-1933), was born in Tennessee and moved to Boone at some point before 1888, marrying Sarah Locke "Sallie" Jurney (1861-1924) in 1892. They had three children, R. C., Jr., being the eldest surviving son. In 1889, Rivers, Sr., purchased the *Watauga Democrat*, the local paper that had flopped after its first fall edition in 1888, from Joseph Spainhour and John S. Williams. Rivers initially had a noteworthy partner in this purchase—Daniel B. Dougherty—but Rivers bought out his partner later that year. Rivers continued to print the paper as the mouthpiece of the local Democratic Party and run the printing business until his death in 1933.<sup>36</sup> Following his death, the business passed to R. C. Rivers, Jr., via inheritance. R.

<sup>29</sup> "Local Affairs," *Watauga Democrat*, 1 June 1933: 5; Plaag, et al, "Comprehensive Architectural Survey," 97; and Clark, "Nearly."

<sup>30</sup> "Brief Illness Proves Fatal to R. Luther Clay," *Watauga Democrat*, 29 March 1945: 1; and Plaag, et al, "Comprehensive Architectural Survey," 50.

<sup>31</sup> The garage is visible in a 1940 aerial image taken for the Department of Agriculture. This image is not yet published and available online but is held as part of the Watauga County Agricultural Extension Aerial Images Collection, Digital Watauga Project.

<sup>32</sup> For one example, see "Alice Stansbury Taylor Circle Holds Meeting," *Watauga Democrat*, 4 July 1935: 5.

<sup>33</sup> "Brief Illness Proves Fatal to R. Luther Clay," *Watauga Democrat*, 29 March 1945: 1.

<sup>34</sup> R. L. Clay and Annie S. Clay to R. C. Rivers and Bonnie Jean Rivers, 22 December 1944, Deed Book 58, Page 308.

<sup>35</sup> "Brief Illness Proves Fatal to R. Luther Clay," *Watauga Democrat*, 29 March 1945: 1.

<sup>36</sup> "History of the Watauga Democrat," *Watauga Democrat*, 3 January 2012, updated 11 August 2014, online, <https://www.wataugademocrat.com/aboutus/history-of-the-watauga-democrat/article>.

C. Rivers, Jr., was responsible for the growth of the *Watauga Democrat* during the middle twentieth century, and he acquired both the *Blowing Rocket* and the *Avery Journal* during his tenure as editor and publisher, significantly expanding the influence of the Rivers Printing Company, Inc. Rivers, Jr., was also a member of the Board of Directors of Northwestern Bank of Boone, Vice President of the Watauga Savings and Loan, a member of the Board of Directors of the North Carolina Press Association, and director of the Journalism Foundation at UNC Chapel Hill. He was also a very influential political operative, serving as a delegate to the 1944, 1952, 1956, and 1960 National Democratic Conventions. Politically, he is probably best known as one of the “Dirty Dozen” who stood for the Democratic Party nomination of John F. Kennedy. Rivers’s comments on the assassination of John F. Kennedy were published in the *Watauga Democrat* and entered into the *Congressional Record* by Senator Sam Ervin.<sup>37</sup>

Rivers, Jr., and his wife Bonnie Jean Rivers had four children in total: Lucinda Jane Rivers (1935-2017), two children born between 1939 and 1940 who were unnamed and did not survive infancy, and Rachel Ann Rivers (1943-1999). Having lived in the apartment above the brick Rivers Printing Company shop located at what is today 747 West King Street since its construction in 1937, the Rivers family realized in 1945 that they could relocate to the R. L. Clay House just down the street and still be close to the business.<sup>38</sup> Following their purchase of the Clay House, the Riverses also purchased surrounding land that significantly increased their holdings. In 1968, Rivers then used the Rivers Printing Company to purchase additional lands to the northwest and west of the property, presumably as a buffer to their existing property, since he immediately flipped the land to himself. Then, in 1984, Bonnie Jean Rivers secured the Esther Boone lands that lay to the southeast of the house.<sup>39</sup> Bonnie Jean Rivers continued to live in the R. L. Clay House following the death of her husband in 1975, and it is believed that she stayed live there until her death in 1991.<sup>40</sup>

From an early age, both Jane and Rachel Rivers showed a keen interest in journalism, but it was Rachel’s interest that survived into adulthood. Born at the Hagaman Clinic on King Street in downtown Boone in 1943, Rachel—initially named Bobbie Jean Rivers—was an accomplished equestrian from a young age. She was frequently seen riding her pony Patsy along King Street, typically feeding the parking meter in front of the Rivers Printing Company building or elsewhere along her journeys after tying up Patsy to the meter. She began writing for the *Watauga Democrat* at the age of eleven and completed her high school education at Appalachian

<sup>37</sup> “Publisher R. C. Rivers, Jr., Dies; End Brought to Unique Career,” *Watauga Democrat*, 24 April 1975; and “Watauga Newspaperman Is Dead,” *Winston-Salem Journal*, 24 April 1975: 21.

<sup>38</sup> “Hands Across the State,” *Watauga Democrat*, 21 July 1938: 4.

<sup>39</sup> See R. L. Clay, et al, to R. C. Rivers and Bonnie Jean Rivers, 1 January 1945, Deed Book 59, Page 214; Lala Clay Rolfe and Shelley R. Rolfe to R. C. Rivers and Bonnie Jean Rivers, 21 February 1945, Deed Book 58, Page 406; Luther Moretz and Maggie Moretz to R. C. Rivers, Jr., and Bonnie Jean Rivers, 20 August 1945, Deed Book 60, Page 127; P. W. Moretz and Alice Moretz to R. C. Rivers and Bonnie Jean Rivers, 1 May 1947, Deed Book 63, Page 334; P. W. Moretz to R. C. Rivers and Bonnie Jean Rivers, 28 April 1948, Deed Book 67, Page 41; Joe Williams and Laura Ruth Williams to Rivers Printing Company, Inc., 14 April 1962, Deed Book 89, Page 437; Joe Williams and Laura Ruth Williams to Rivers Printing Company, Inc., 5 August 1968; Deed Book 103, Page 419; Rivers Printing Company, Inc., to R. C. Rivers, Jr., 26 November 1968, Deed Book 110, Page 17; Esther S. Boone to Eddie A. Caudill, 10 April 1984, Deed Book 246, Page 724; and Eddie A. Caudill and Shirley N. Caudill to Jean L. Rivers, 27 April 1984, Deed Book 246, Page 727.

<sup>40</sup> “Publisher R. C. Rivers, Jr., Dies; End Brought to Unique Career,” *Watauga Democrat*, 24 April 1975.



High School—now Chapell-Wilson Hall (WT0564)—before earning a journalism degree at the University of Missouri. Rachel returned to work for the *Watauga Democrat* full-time in 1965, serving as both a writer and a photographer. Shortly thereafter, she married Paul Armfield Coffey (1934-2007), whom she probably knew from growing up in Boone, but with whom she also worked at the *Democrat*, where Coffey served as a journalist and photographer. Rachel reportedly worked an average of 70 hours per week during this period, by which time the operations of the Rivers Printing Company included two other newspapers, the *Blowing Rocket* and the *Avery Journal*. She also published two novels in the 1970s: *A Horse Like Mr. Ragman* (1977) and *The City Man* (1978).<sup>41</sup>

Following the death of R. C. Rivers, Jr., in 1975, Rachel and Armfield inherited the *Watauga Democrat*, the Rivers Publishing Company, and the other papers under its banner. They continued to run the company for the next two decades, eventually selling it to the owners of the *Bristol Herald-Courier* in 1994. Rachel also served as president of the North Carolina Press Association in 1994 and 1995. Today, the various papers and other media operations are owned by Jones Media, who acquired those concerns in 2002, and the *Watauga Democrat* remains the oldest continually operating business in Watauga County.<sup>42</sup> Outside of her journalistic and writing pursuits, Rachel was also an influential and active participant in numerous cultural programs and initiatives in Boone and Watauga County. She helped found the Doc and Merle Watson Mountain Folk Art Museum in Cove Creek and the first Firefly Festival in Boone, served on the Watauga County Hospital Board and its Foundation Board, helped found the Watauga Humane Society, and was a prominent leader in her service with the boards of Historic Boone and the Watauga County Community Foundation. One of her most lasting contributions was her vigilant and persistent efforts to preserve the historically Black and White sections of the Boone Cemetery (WT0055). She and her husband also sponsored a professorship in creative writing at Appalachian State University shortly before her untimely death in 1999.

Following the death of her mother, Rachel Rivers-Coffey acquired most of the Rivers family land and held it for only a few years until she and her husband began conveying it to the Town of Boone in October 1998, along with the adjacent Esther Boone lands (not part of the designation boundary) acquired by Bonnie Jean Rivers in 1984 and bequeathed to Armfield Coffey in 1993.<sup>43</sup> As a condition of conveying these lands to the Town of Boone, Rachel and Armfield

<sup>41</sup> Eric Plaag, “Watauga County Historical Society Announces Rachel Rivers-Coffey as Next Inductee to the WCHS Hall of Fame,” 23 July 2022, Watauga County Historical Society, online, <https://www.wataugacountyhistoricalsociety.org/blog-1/2022/7/23/watauga-county-historical-society-announces-rachel-rivers-coffey-as-next-inductee-to-the-wchs-hall-of-fame>. See also “Publisher R. C. Rivers, Jr., Dies; End Brought to Unique Career,” *Watauga Democrat*, 24 April 1975.

<sup>42</sup> “History of the Watauga Democrat,” *Watauga Democrat*, 3 January 2012, updated 11 August 2014, online, <https://www.wataugademocrat.com/aboutus/history-of-the-watauga-democrat/article>; and Brad Hodges, “Former Newspaper Publisher Dies after Falling from Horse: Rachel Rivers-Coffey Was Long-Time County Civic Leader,” *Watauga Democrat*, 25 August 1999.

<sup>43</sup> Executrix’s Deed in Distribution, Rachel A. Rivers-Coffey to Rachel A. Rivers-Coffey and Jane Rivers Krida, 23 December 1993, Book of Records 272, Page 585; and Executrix’s Deed in Distribution, Rachel A. Rivers-Coffey to Rachel A. Rivers-Coffey, 23 December 1993, Book of Record 272, Page 579. Rachel and Armfield briefly surrendered their interest in part of the land to Jane in 1993—see Rachel A. Rivers-Coffey and Paul Armfield Coffey to Janes Rivers Krida, 31 December 1993, Book of Record 273, Page 244. Jane then transferred the land to a trust in her name before selling (or donating) it to the Appalachian State University Foundation in 1997. ASU returned

included a life estate to Rachel Rivers-Coffey and to Jim Butler, a family friend, during their lifetimes, as well as restrictions to the property and its future use by the Town of Boone. These restrictions read, “The Grantee may use said property only for the following purposes:... 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 as to cause a minimum disturbance to the natural environment. 4. Flood mitigation. 5. A wildlife sanctuary. 6. Historical Purposes.”<sup>44</sup> Jim Butler, who resided in the home at the time of its donation to the Town, passed away in 2011, leaving the home empty as it sits today.<sup>45</sup>

The R. L. Clay House is probably the best surviving resource with the highest degree of integrity in Watauga County associated with the Rivers family. The original Rivers “Old Home Place,” located at the southeast corner of King Street and Water Street in downtown Boone, was demolished in 1959.<sup>46</sup> The Rivers Printing Company Building (WT0585) does still stand and was the workplace for R. C. Rivers, Jr., and Rachel Rivers-Coffey for several decades. Nevertheless, changes to the original windows (now metal, with different sash and light details) and dramatic changes to both the rear elevation and the interior of the building (where no signs of the original printing operations survive) have reduced the overall integrity of the Rivers Printing Company Building in comparison to the high level of integrity of the R. L. Clay House.

### *Historical Significance*

The R. L. Clay House possesses special significance at the local level for its association with members of the Rivers family, specifically Robert Campbell “R. C.” Rivers, Jr., and Rachel Rivers-Coffey, who were prominent figures in the publishing industry in Boone throughout the twentieth century. As consecutive editors and publishers of the *Watauga Democrat*, Boone’s

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the land to Rachel in 1999. For this convoluted deed history, see Jane Rivers to Jane Rivers, Trustee of the Jane Rivers Living Trust Agreement, 13 December 1995, Book of Record 354, Page 410; Jane Rivers, Trustee of the Jane Rivers Living Trust Agreement to Appalachian State University Foundation, Inc., 17 December 1997, Book of Record 438, Page 124; and Appalachian State University Foundation, Inc., to Rachel Rivers-Coffey, 25 February 1999, Book of Record 507, Page 170. For the transfer of the house and garage parcel, as well as the parcel containing Rachel’s Meadow, to the Town of Boone, see Rachel Rivers-Coffey and Armfield Coffey to Town of Boone, 28 October 1998, Book of Record 480, Page 494; and Rachel Rivers-Coffey and Armfield Coffey to Town of Boone, 28 October 1998, Book of Record 480, Page 496. For the parcel fronting on Poplar Grove Road, which Armfield conveyed to the Town after Rachel’s death, see Armfield Coffey, personally and as Executor of the Estate of Rachel-Rivers Coffey, to the Town of Boone, 26 January 2000, Book of Record 553, Page 297. Armfield also acquired the old Esther Boone lands to the southeast of the house, which are not part of the designation boundary, in 1993, and he later donated these lands to the Town of Boone in 2004. See Rachel A. Rivers-Coffey, Executrix under the Last Will and Testament of Bonnie Jean L. Rivers, to Paul Armfield Coffey, 23 December 1993, Book of Record 272, Page 591; and Paul Armfield Coffey to Town of Boone, 12 March 2004, Book of Record 980, Page 689.

<sup>44</sup> Rachel Rivers-Coffey and Armfield Coffey to Town of Boone, 28 October 1998, Book of Record 480, Page 494. Similar language appears in the Esther Boone property conveyance to the Town, with the exception that the old Boone house could be torn down, and the lot could be used for “free, unmetered parking for park users.” See Paul Armfield Coffey to Town of Boone, 12 March 2004, Book of Record 980, Page 689.

<sup>45</sup> Anna Oakes, “Boone to Consider Uses for Property Near Rivers Street,” *Watauga Democrat*, 12 March 2012, online, [https://www.wataugademocrat.com/news/boone-to-consider-uses-for-property-near-rivers-street/article\\_ca471d55-6394-58b2-8a82-d68129b847bb.html](https://www.wataugademocrat.com/news/boone-to-consider-uses-for-property-near-rivers-street/article_ca471d55-6394-58b2-8a82-d68129b847bb.html). This article includes an image showing the proximity of the Boone house to the property proposed for designation.

<sup>46</sup> Rob Rivers, “King Street,” *Watauga Democrat*, 5 November 1959: 4.

primary local newspaper since 1888, and owners of the Rivers Publishing Company for 61 years from 1933 to 1994, they dominated and controlled Boone’s most significant news media outlet for generations. R. C. Rivers, Jr., was responsible for the growth of the Rivers Printing Company outside of Boone, with the acquisition of both the *Blowing Rocket* and the *Avery Journal* during his publishing tenure, and he transformed the *Watauga Democrat* from an eight-page weekly publication to one that averaged 40 pages twice per week at the time of his death. His principal residence from 1945 to 1975 was the R. L. Clay House. Following his death in 1975, his daughter Rachel—who was raised in the R. L. Clay House—took over at the *Watauga Democrat* as editor and publisher and continued to own and operate the Rivers Printing Company with her husband Armfield Coffey until 1994. Their donation of the house parcel and several parcels of surrounding land in 1998 and just after Rachel’s death was critically important to the property’s long-term, ongoing preservation.

Built in 1933, the R. L. Clay House also possesses special significance in architecture at the local level as an unusually early, domestic example of architecturally sophisticated, native stone construction in Boone. This masonry work was completed by John L. Hickerson (ca. 1889-1938), a prominent Black mason and contractor in Boone and Watauga County from about 1920 until his death in 1938. He remains the only documented Black mason in Watauga County working during that period. The R. L. Clay House and its nearby garage remain intact and largely unchanged since their construction in 1933. The integrity and sophistication of the masonry work are exemplary when compared to other stone structures from the period of significance in downtown Boone. While not part of this proposed designation, even the interior floor plan of the R. L. Clay House appears to be largely unchanged from its original design.

## **V. Supporting Documentation**

Appendix A: Digital Photography

Appendix B: Site Plan, Boundary Map, and Tax Map

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## **Appendix A: Digital Photography**

All photographs were taken by Eric Plaag on July 25, 2023.



**NC\_WataugaCounty\_RLClayHouse\_0001.JPG**

Clay House Drive, looking northwest



**NC\_WataugaCounty\_RLClayHouse\_0002.JPG**

Moretz Drive, looking west toward Boone house site



**NC\_WataugaCounty\_RLClayHouse\_0003.JPG**

Moretz Drive, looking north toward Rivers Park



**NC\_WataugaCounty\_RLClayHouse\_0004.JPG**

R. L. Clay House, looking west from Clay House Drive





**NC\_WataugaCounty\_RLClayHouse\_0005.JPG**  
 R. L. Clay House and Garage, looking southwest from Clay House Drive



**NC\_WataugaCounty\_RLClayHouse\_0006.JPG**  
 R. L. Clay House, looking west



**NC\_WataugaCounty\_RLClayHouse\_0007.JPG**  
 R. L. Clay House and Garage, looking south



**NC\_WataugaCounty\_RLClayHouse\_0008.JPG**  
 R. L. Clay House entrance detail, looking southwest





**NC\_WataugaCounty\_RLClayHouse\_0009.JPG**

R. L. Clay House entrance detail, looking south



**NC\_WataugaCounty\_RLClayHouse\_0010.JPG**

R. L. Clay House entrance detail, looking southwest



**NC\_WataugaCounty\_RLClayHouse\_0011.JPG**

R. L. Clay House, looking south



**NC\_WataugaCounty\_RLClayHouse\_0012.JPG**

R. L. Clay House, looking south





**NC\_WataugaCounty\_RLClayHouse\_0013.JPG**  
R. L. Clay House, looking southeast



**NC\_WataugaCounty\_RLClayHouse\_0014.JPG**  
R. L. Clay House, looking east



**NC\_WataugaCounty\_RLClayHouse\_0015.JPG**  
R. L. Clay House, looking east



**NC\_WataugaCounty\_RLClayHouse\_0016.JPG**  
R. L. Clay House, looking east





**NC\_WataugaCounty\_RLClayHouse\_0017.JPG**

R. L. Clay House, looking northeast



**NC\_WataugaCounty\_RLClayHouse\_0018.JPG**

R. L. Clay House, looking north



**NC\_WataugaCounty\_RLClayHouse\_0019.JPG**

R. L. Clay House, looking northeast



**NC\_WataugaCounty\_RLClayHouse\_0020.JPG**

R. L. Clay House, looking north





**NC\_WataugaCounty\_RLClayHouse\_0021.JPG**

R. L. Clay House, looking north



**NC\_WataugaCounty\_RLClayHouse\_0022.JPG**

R. L. Clay House, looking northwest



**NC\_WataugaCounty\_RLClayHouse\_0023.JPG**

R. L. Clay House, looking northwest



**NC\_WataugaCounty\_RLClayHouse\_0024.JPG**

R. L. Clay House, looking northwest





**NC\_WataugaCounty\_RLClayHouse\_0025.JPG**

R. L. Clay House, east porch detail, looking northwest



**NC\_WataugaCounty\_RLClayHouse\_0026.JPG**

R. L. Clay House, east porch detail, looking northwest



**NC\_WataugaCounty\_RLClayHouse\_0027.JPG**

R. L. Clay House, east porch walkway with Clay House Drive, looking southeast



**NC\_WataugaCounty\_RLClayHouse\_0028.JPG**

R. L. Clay House, looking southwest





**NC\_WataugaCounty\_RLClayHouse\_0029.JPG**  
 R. L. Clay House Garage, looking southwest



**NC\_WataugaCounty\_RLClayHouse\_0030.JPG**  
 R. L. Clay House Garage, looking south



**NC\_WataugaCounty\_RLClayHouse\_0031.JPG**  
 R. L. Clay House Garage, looking southeast



**NC\_WataugaCounty\_RLClayHouse\_0032.JPG**  
 R. L. Clay House Garage, looking east





**NC\_WataugaCounty\_RLClayHouse\_0033.JPG**

R. L. Clay House Garage, looking northeast



**NC\_WataugaCounty\_RLClayHouse\_0034.JPG**

R. L. Clay House Garage, looking north



**NC\_WataugaCounty\_RLClayHouse\_0035.JPG**

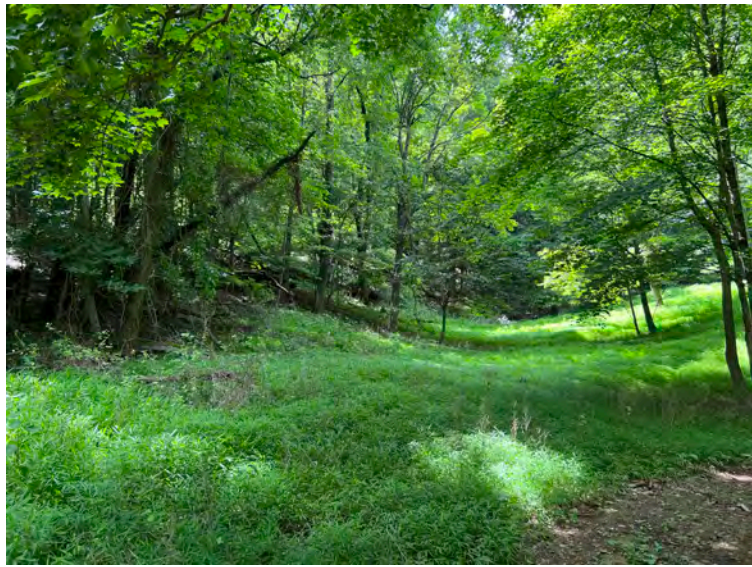
R. L. Clay House Garage, looking west



**NC\_WataugaCounty\_RLClayHouse\_0036.JPG**

"Rachel's Meadow," looking northwest





NC\_WataugaCounty\_RLClayHouse\_0037.JPG

"Rachel's Meadow," looking west



NC\_WataugaCounty\_RLClayHouse\_0038.JPG

"Baby" with perimeter fence, looking northwest



NC\_WataugaCounty\_RLClayHouse\_0039.JPG

"Baby" with perimeter fence, looking southeast



NC\_WataugaCounty\_RLClayHouse\_0040.JPG

"Baby" interpretive signage, looking southeast





**NC\_WataugaCounty\_RLClayHouse\_0041.JPG**

Southwest side of "Baby" perimeter fence, looking southeast toward house site (not visible)



**NC\_WataugaCounty\_RLClayHouse\_0042.JPG**

Daniel Boone Monument at Rivers Park, looking northwest



**NC\_WataugaCounty\_RLClayHouse\_0043.JPG**

Daniel Boone Monument at Rivers Park, looking west



**NC\_WataugaCounty\_RLClayHouse\_0044.JPG**

Northeast side of Rivers Park, looking northwest





**NC\_WataugaCounty\_RLClayHouse\_0045.JPG**  
Daniel Boone Monument at Rivers Park, looking southeast



**NC\_WataugaCounty\_RLClayHouse\_0046.JPG**  
Daniel Boone Monument at Rivers Park, looking east