



Historic Preservation Commission

Regular Meeting

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

~ Agenda ~

Jane Shook
828-268-6960

Tuesday, October 4, 2022

3:00 PM

WebEx

This meeting will be held remotely 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

HPC Advisory Session

II. Adoption of Agenda

III. Approval of Minutes

August 9, 2022 HPC Quasi-Judicial Meeting Minutes

August 15, 2022 HPC Special Quasi-Judicial Meeting Minutes

August 30, 2022 HPC Special Quasi-Judicial Meeting Minutes

September 6, 2022 HPC Advisory Meeting Minutes

IV. Public Comment

V. Discussion of The Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings

The Secretary of Interior Standards for the Treatment of Historic Properties are available at the link provided here: <https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf> and will be shared by Staff during the meeting.

VI. Review of Remaining Work Plan**VII. Staff Updates****VIII. HPC Member Updates****IX. Interpretative Panels for Stoneman's Raid and Boone Cemetery**

Boone Cemetery Interpretative Panels - Draft Text and HPC Recommendations to Town Council from 2021

X. HPC Chair and Vice-Chair

Application for Chair and Vice-Chair

XI. Other Discussion**XII. 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 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 pm on the day of the meeting.

Staff will be happy to schedule a test meeting with each participant to ensure that they are able to participate the day of the meeting. Please call Jessica Mitchell at 828-268-6960 if you are interested in this option.

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.

CONCERNS REGARDING PARTICIPATION: Please contact Jessica Mitchell, Long-Range/Special Projects Planner by phone at 828-268-6960 as soon as possible if you are concerned about your ability to participate through the options listed above (online or by telephone) in the "To participate in the meeting" section above.

TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
AUGUST 9, 2022, 3:00 p.m.
WebEx Video Conferencing

Historic Preservation Commission Members in Attendance:

Chair Eric Plaag, Vice-Chair Bettie Bond, and Chuck Watkins

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: Allison Meade-Town Attorney, Chelsea Garrett-Attorney-diSanti, Capua and Garrett, PLLC, Deron Geouque-Watauga County Manager, Bill Dixon-Appalachian Architecture, Alan Crees-Municipal Engineering, Jim Deal-Deal Moseley and Smith, John Winkler-Howard Street Ventures, LLC, and Laurence Lindsey- L-Squared Engineering

Call to Reconvene

Chair Eric Plaag reconvened the Boone Historic Preservation Commission hearing from July 26, 2022, held via WebEx, at 3:00 pm.

Approval of Minutes

Discussion ensued on the approval of meeting minutes. Chair Plaag asked Ms. Allison Meade, Town Attorney, that since these hearings are all continued would it be appropriate to approve all the minutes all at once rather than the HPC approve them individually. Ms. Meade said it was within the discretion of the Chair of the Commission to make that decision. Chair Plaag suggested tabling the approval of the July 12, 2022 meeting minutes until all other meeting minutes are available for review by the HPC or any additional dates if necessary.

Case Z05738-052522 Watauga County Parking Deck - COA

Deron Geouque, County Manager, on behalf of Watauga County, has requested a Certificate of Appropriateness for Major Work (COA) for the proposed new construction of a parking structure on Water Street (Watauga County PIN: 2900-79-9830-000), located in the Downtown Boone Local Historic District.

Pursuant to the Town of Boone Unified Development Ordinance (UDO), Appendix D, Downtown Boone Local Historic District, specifically the section on COA Application for Major Work, a COA is required for new construction of the structure in the Downtown Boone Local Historic District.

Chair Plaag reopened this case. He swore in Mr. Bill Dixon from Appalachian Architecture and Mr. Alan Crees from Municipal Engineering. Chair Plaag also swore in Ms. Jessica Mitchell, Long-Range/Special Projects Planner, and Ms. Christy Turner, Senior Planner.

Chair Plaag asked Ms. Chelsea Garrett to proceed with the revisions made since the last meeting; she noted that those changes had been included in the meeting packet. Chair Plaag pointed out that the revisions are on packet page 150.

Ms. Garrett asked Mr. Dixon to present the proposed revised changes to the HPC. Mr. Dixon said that the revisions include: the removal of the curved, arched windows; the removal of the large window openings in the lower level of the parking deck, and small openings have been made; replicated the windows from the upper-level window openings and added precast concrete sills and lintels to those same openings; shortened the chimneys to mimic

the former Watauga Democrat building, creating the look of a small residential two-story house. Ms. Garrett added that Mr. Dixon bumped out the lower level about four inches to help shorten the look of the chimneys at the stairwells. Mr. Dixon continued with the proposed revisions; he said the code requires that the rail openings be smaller than four inches. He said they added a solid wall behind the window with an aluminum storefront screen on the upper level of Queen Street. He said the screen is required to be 42 inches high to screen automobile parking from visibility. Mr. Dixon completed his presentation on the proposed revisions and asked for the HPC's feedback.

Chair Plaag reviewed the exterior elevations of Exhibit 11 on page 151 of the meeting packet. He asked Mr. Dixon about the third drawing representing the East elevation and the two openings on the wall. Chair Plaag asked Mr. Dixon if those two openings were in and out of the upper level. Mr. Dixon said they are in and out of the upper level.

Chair Plaag asked Mr. Dixon about the proposed South elevation specifically, the lower story openings that terminate after the fifth section. Chair Plaag said he assumed that it is because of the interruption of the grade. Mr. Dixon explained that the code limits the percentage of openings in the walls within the Downtown Fire District because of the proximity of the property line. He continued by stating there is a maximum amount of openings allowed on that side.

Chair Plaag said to Mr. Dixon that, similarly, on the North elevation along Queen Street, the termination of the faux windows is a visual consideration because of the grade. Mr. Dixon said it was because of the grade.

Chair Plaag asked Mr. Dixon if he created a raised parapet for sidewalks so the roofing sits slightly below the parapet wall, and if the chimneys have also been reduced in height. Mr. Dixon said he intended to raise the parapet and reduce the height of the chimneys.

Chair Plaag asked if the roof's angle was slightly flatter than initially proposed. He wanted to ensure that the proposed metal roof is a standing seam roof instead of the panel roofing. He noted this could be a condition of approval. He continued that the annex building, the courthouse, and the administration building appear to have standing seam roofs as opposed to panel roofing. Ms. Garrett said the applicant would agree that the proposed parking deck roof has to match the surrounding county buildings. She said the applicant could accept this as a condition of approval.

Chair Plaag talked about the proposed awnings over the doorways on each chimney stairwell. He said this is a standard cable-hung awning with a metal box soffit; Mr. Dixon confirmed these awning details.

Member Watkins asked Mr. Dixon if he was satisfied with the height of the pseudo-chimneys as an architect. Mr. Dixon said he would have made them a little differently by making them step in as they go up so the top of them would not look so massive.

Chair Plaag asked Mr. Dixon if he had incorporated limestone elements to the sills and lentils to the faux openings, the window openings on Water Street, and coping for the door openings. Mr. Dixon said that he used precast concrete, which is largely similar to limestone and it is less expensive.

Chair Plaag asked Ms. Meade for direction on how clear the HPC should be in reviewing the revisions to the proposed plans. Ms. Meade responded that she thought the record needed to reflect a clear consensus to guide staff. She stated if what is intended to be approved is not in these newly revised elevations, then the HPC needs to be very clear about what they approve. Chair Plaag clarified that the revision to the width of the chimney stairwells would not get taller, but they would be stepped in slightly as they rise.

Discussion ensued on options for lighting fixtures. Ms. Garrett said the applicant is working on getting a lighting survey to determine the existing lighting or foot candles at the property. Ms. Garrett said that Mr. Deron Geouque, County Manager, had taken some photos of Queen Street that showed Queen Street being illuminated very well. She said that they are hoping that the existing lighting on Queen Street will help them limit the number of light fixtures needed on Queen Street. She continued if that is the case, then they can focus on the number of light fixtures needed on the South elevation.

Mr. Dixon presented full-color fixtures that were historic, in design, and used at the King Street Flats apartment building on King Street. He noted that at this development, they had some poles very close to the property line, which could shield the light from shining over onto the next property. He said these fixtures are acceptable within the bounds of the photometric requirements in the Community Appearance Standards of the UDO.

Discussion ensued on light poles along Queen Street. Chair Plaag asked if 20-foot poles would be used or bollard-type fixtures. Mr. Dixon said the goal would be to use poles, with pole heights down to 12 feet high or as low as possible, and provide enough safety and security. Ms. Garrett said that the applicant is exploring some down lighting on the chimney stairwells, even if it covers the corner because it would eliminate a pole at that location. She said the applicant would look into installing lighting on the interior side of the chimney stairwells to help eliminate additional poles.

Chair Plaag voiced his concern about having a lot of light poles standing above the structure beyond what we already have on Water Street, Queen Street, and in the alleyway on the east side. Chair Plaag asked Mr. Crees if it could meet the foot candle requirements using bollards or wall-mounted lights on the upper deck. Mr. Crees responded that it would not be impossible. He continued to state that if bollard lights are wanted, they would have to be sprinkled throughout the parking deck. He said this might eliminate some parking spaces. He said he would ask his lighting engineer about mounting lights between the parking spaces to determine if it would shine brightly enough to help eliminate some light poles. He said this type of lighting created dark area shadows that are problematic from a safety and security point of view. He told the applicant also to look at the possibility of mounting lights outside the chimney stairwells.

Discussion ensued on the 25 percent flexibility in the standards. Chair Plaag asked Ms. Turner to explain the 25 percent deviation from the levels noted in the UDO Section 25.07. Ms. Turner responded that the applicant has to ask for the deviation before they turn in the plans. She stated that the applicants have to know about it ahead of time and before the zoning permit is issued. Ms. Garrett said the applicant would like the HPC to strongly consider allowing the 25 percent reduction to help preserve the character and have the proposed parking deck look as historical as possible with fewer light poles. Ms. Turner reminded Ms. Garrett that at the last meeting, for the lighting, it was discussed that if the HPC would approve the COA, the applicant could prepare the photometric plan before the zoning permit was issued. Ms. Turner continued that the applicant would then come back and present the photometric plan to the HPC to approve the photometric plan and amend the COA.

Discussion ensued on amending the possibly approved COA application. Ms. Garrett asked Ms. Turner what the HPC would be amending about the actual COA if they were to issue one. Chair Plaag asked Ms. Meade the best way for the HPC to handle the possible amending of the approved COA application. Ms. Meade said she felt the HPC needed to articulate the requirements for the photometric plan so the plan would meet historic district standards.

Discussion ensued on the lighting plan meeting the UDO and Historic District Standards. Chair Plaag pointed out that there is a way for the UDO requirements to be met while keeping the historic district standards in mind. He referred to Section 7.4 Exterior Lighting of Appendix D, and read the standard aloud. He added that whatever lighting is employed needs to meet this standard.

Ms. Garrett referred to the lighting standards and stated that it would need to be the lowest requirement and then potentially employ the alternative, which is a 25 percent decrease to that if possible. Ms. Meade asked if the UDO lighting standards have minimums based on safety and do the standards match up with some national standard of lighting safety. Ms. Garrett said the purpose of Section 7.4 states the goal is to minimize lighting, and the only thing it provides is an actual minimum. Ms. Garrett explained she interpreted that language to mean that the applicant could do as little lighting as they want to. Ms. Garrett further stated the basic chart, in UDO Section 25.05, provides a minimum for the lighting the applicant can achieve. Ms. Turner responded that the interior lighting of a parking deck is mentioned in the UDO standards, but not in the historic district standards. Ms. Turner said the photometric standards would have to be met for the exterior of the building. Ms. Garrett asked Ms. Turner if the applicant needed to look at the activities listed in the chart, in UDO Section 25.05, under open parking areas or under street lighting, ranging from .2 f.c. to 9 f.c., as a minimum, to 3.6 f.c., as a maximum. Ms. Turner said this range referred to foot candles and noted that these are industry standards for foot candles. She said the language on foot candles is being revised by staff, and the applicant has to meet the requirements for foot candles presently written.

Ms. Garrett said that a maximum of 3.6-foot candle is not that bright, and the applicant will have difficulty with bright spots under the lights. She said the applicant would have to get low voltage fixtures not to exceed the maximum. She said the applicant would have to put several lights on the parking lot to disperse the background. She said this should be achievable by adding a low range and frequent sets of lights.

Chair Plaag referred to Section 7.5 of Appendix D, and read it aloud. He thought the applicant had an opportunity with the east and west tower to use wall mounted lighting but shining down into the parking lot. He said the applicant would not be creating a separate pole in those areas. He said if the applicant relies on this standard, it might help meet the surface lot's lighting range.

Chair Plaag stated for the record that the HPC expects that whatever lighting plan is developed will meet the requirements of Section 7. Exterior Lighting of Appendix D. Chair Plaag said he would like to see no light poles sticking above the parapet walls and a minimal number of them on the upper deck to keep the viewscape as uncluttered as possible.

Member Watkins asked if electrical wiring would be put through the cast concrete caps on the pilasters and then add a 12-foot pole on top of them. Ms. Garrett said yes, there would be a hole for the electrical wiring, but the height of the pole and the fence depend on which parapet it's going on. She said they would try to keep the pole height as low as possible. She said they would not all be 12 feet; some might be eight or ten feet high.

Ms. Garrett talked about the South elevation and the side of the parking garage closest to King Street. She explained there is a need for lighting on this side of the parking deck. She said they propose a low pole on the second or third parapet in the middle of the South elevation. She said that with the addition of this light pole, based on the existing exterior lighting, this might take care of the exterior lighting on the South elevation side of the parking deck.

Chair Plaag suggested adding a height limitation that in no case any light pole would exceed the height of the chimney stairwell element on the northwest corner tower. Ms. Garrett said the applicant could agree to that condition. Chair Plaag noted that even on the more easterly pilasters, they would still be below the height of the chimney stairwell element on the West end. He included that the HPC expects that whatever plan is adopted will follow the general guidelines in Section 7 of Appendix D. He said this means the applicant works with the Town to minimize the lighting required for safety purposes and not exceed it. Ms. Garrett said the applicant could agree to work with the Town to meet the safety requirements.

Ms. Meade sought an understanding of why a pole needs to go on top of a parapet wall. She stated that if lighting is needed on the outside of the building, there could be wall-mounted down lighting, and security lighting for the

outside of the building on the upper deck. She said that she would have expected there to be poles on the parking surface. Ms. Garrett explained that the surface lot poles create an issue for snow removal, and parking spaces are lost depending on where the poles are located. Ms. Garrett further explained that the applicant could not commit to the specifics of the pole height at this time. Ms. Meade said there was an issue with the HPC deciding on the pole height because the applicant talked about different aesthetic looks for the poles. Ms. Meade suggested that the HPC try to put it on the staff whether to bring the specifics of the pole height back to the HPC. Ms. Meade said that if the proposed lighting plan meets the requirements, the staff does not need to bring it back to the HPC for review.

Discussion ensued on when to submit a lighting plan. Ms. Garrett asked if every project that proposes lighting has to have a full proposed lighting plan before it comes to the HPC. Ms. Meade said the applicant described a 12-foot pole on top of a high parapet wall that is three and one-half feet to four feet above the parking level surface. Ms. Meade said that viewing the parking deck from King Street, one would be looking at a wall that is 14 or 15 feet high. Ms. Garrett said the parking deck is not entirely visible from King Street. Member Watkins said it looked like the proposed lighting pattern is what one would find in a mall, and he said this may or may not be fine. He said it is difficult to justify the kind of lighting pattern in a historic district.

Ms. Garrett pointed out that the applicant has to have the COA before August 22, 2022. She asked about the requirement for a lighting plan. Ms. Meade said she didn't think the COA approval needed to be held for the lighting plan. She said a decision needs to be made on the condition placed on the COA for lighting. Chair Plaag said that Ms. Meade is suggesting that if the HPC is inclined to grant the COA, a condition would be that the lighting for this project will comply with Section 7. Exterior Lighting of Appendix D. He also said there would be an understanding that staff may choose to direct the lighting plan to the HPC for further consideration to ensure that it meets the condition.

Ms. Garrett asked for specific guidance on the preference to have poles on parapets, and if the poles need to be lower. Chair Plaag said that Ms. Turner explained that the standard for exterior lighting differs from the standard for interior lighting in a building. He said that in this case, we are talking about exterior lighting. Chair Plaag explained that part of the problem is that without a lighting plan, we do not have a calculation for whether you can meet that wide range of .2 f.c. to 9 f.c., as a minimum, to 3.6 f.c., as a maximum for foot candles. He said it is his preference that there be no poles and wall-mounted fixtures. He said this would be the least obtrusive and most congruous appearance for this deck in the historic district.

Chair Plaag said he liked the idea of proceeding with the understanding the applicant needs to meet the requirements of Section 7. Exterior Lighting of Appendix D. He said the staff would review and if they have any doubt, they will present it to the HPC for further consideration. Ms. Garrett agreed that what Chair Plaag said is reasonable regarding proceeding with the understanding the applicant must meet Section 7. Exterior Lighting. Ms. Garrett said the applicant must also comply with Section 14.5 of the UDO Standards.

Ms. Garrett asked if there were any issues with the community appearance standards of the UDO. Ms. Turner, said there would be landscaping requirements to be met for the proposed work at the front of the parking structure. Ms. Turner said a small landscape plan must be submitted and reviewed at the staff level.

Ms. Garrett asked for guidance from the HPC on the presented light fixtures. Chair Plaag said he did not object to the Colonial Style Revival style fixtures because they are elsewhere in the historic district. Vice-Chair Bond and Member Watkins did not have an objection to the Colonial Style Revival style fixtures.

Ms. Garrett asked if it helps the applicant achieve better lighting with fewer poles to have an arm on a pole rather than just having a straight pole. She said the applicant could consider having a pole with an arm as an option.

Chair Plaag asked Ms. Garrett if the applicant would be willing to accept the condition that if the Town approves modifications to the Queen Street wall, the applicant would agree to install a sidewalk along the top of that wall flush with the North elevation of the parking deck. Ms. Garrett said yes, and the applicant would prefer the sidewalk be put in along the Queen Street wall.

Chair Plaag outlined the following proposed conditions discussed at this meeting:

- The applicant shall meet the lighting standards set forth at Section 7 of the Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, UDO Appendix D. In meeting these lighting standards, the goal shall be to minimize the number and visibility of the fixtures, and in particular to avoid or minimize poles that are visible from the outside of the structure. Staff shall review the lighting plan submission, and if Staff has significant questions as to compliance with Section 7, the applicant agrees that the case will be brought back HPC for further review and approval of the lighting plan.
- The faux chimneys on the stair buildings shall not to exceed the height shown on the revised plans, and may be modified consistent with any of the examples that the applicant showed the HPC during the August 9, 2022 meeting.

Chair Plaag asked Ms. Garrett if the applicant would be willing to accept the automatic conditions of approval. Ms. Garrett said yes, the applicant is willing to accept the three automatic conditions of approval.

Ms. Garrett agreed that Chair Plaag accurately outlined the conditions agreed upon by the applicant at this meeting. She clarified that the applicant limiting the visibility of the poles is alright with the HPC.

Ms. Turner asked Ms. Meade if a revised architectural rendering was needed for the Conditional District Public Hearing held later this month. Ms. Meade said a revised architectural rendering would be required. Ms. Turner informed the applicant that the staff would need it submitted by Friday, August 12, 2022.

Chair Plaag asked the HPC members for their comments on the proposed parking deck. Vice-Chair Bond said the proposed changes presented in the revised rendering would make for a better building than was first proposed to the HPC. Member Watkins said he preferred the look of the original rendering better, but the revised rendering is okay with him. He added that it is important to have architecture and illumination levels that conform to the historic district.

Motion and Vote:

Member Watkins made a motion, seconded by Vice-Chair Bond, to approve the request by Watauga County for a Major Work Certificate of Appropriateness (COA) for the proposed new construction of a parking structure on Water Street located in the Downtown Boone Local Historic District because the proposed exterior modification is not incongruous with the special character of the historic district along with the following conditions of approval:

Conditions of Approval

The following conditions are automatically included and a part of any approval.

- Where there is a conflict between the application information (May 25, 2022) and the plans (May 25, 2022), 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.

The Commission may issue an approval subject to reasonable conditions necessary to carry out the purposes served by the historic district (see G.S. 160D-940, 160D-947(a)):

1. The applicant shall meet the lighting standards set forth at Section 7 of the Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, UDO Appendix D. In meeting these lighting standards, the goal shall be to minimize the number and visibility of the fixtures, and in particular to avoid or minimize poles that are visible from the outside of the structure. Staff shall review the lighting plan submission, and if Staff has significant questions as to compliance with Section 7, the applicant agrees that the case will be brought back HPC for further review and approval of the lighting plan.
2. The faux chimneys on the stair buildings shall not to exceed the height shown on the revised plans, and may be modified consistent with any of the examples that the applicant showed the HPC during the August 9, 2022 meeting.

Vote:

Aye - All

Nay - None

The motion passed.

Case Z05737-052522 Howard Street Ventures, LLC (Wilcox Warehouse) – COA

John Winkler, on behalf of Howard Street Ventures, II, LLC (Wilcox Warehouse), has requested a Certificate of Appropriateness for Major Work (COA) to repair/replace and modify the exterior façade at 161 Howard Street (Watauga County PIN: 2900-79-8147-000). The applicant proposes to replace damaged stucco with natural stucco as well as repair the awning and roof.

Pursuant to the Town of Boone Unified Development Ordinance (UDO), Appendix D, Downtown Boone Local Historic District, specifically the section on COA application for Major Work.

Chair Plaag announced that he is reopening this case from July 26, 2022.

Chair Plaag affirmed Mr. John Winkler, Howard Street Ventures, LLC applicant, and he swore in Mr. Laurence Lindsey from L Squared Engineering. Chair Plaag also swore in Ms. Jessica Mitchell, Long Range/Special Projects Planner, and Ms. Christy Turner, Senior Planner.

Chair Plaag asked Mr. Deal if he wanted to call on Mr. Winkler to address items discussed at the last meeting. Mr. Deal asked Mr. Winkler to state his name for the record. Mr. Deal asked Mr. Winkler how long he had been involved in the construction business; Mr. Winkler replied since 1971. Mr. Deal asked Mr. Winkler if he was familiar with the property being discussed on Howard Street; Mr. Winkler replied yes. Mr. Deal asked Mr. Winkler to present the evidence he had submitted to staff on potential awnings. Mr. Winkler noted that he had submitted to Ms. Turner several possibilities for awnings. Mr. Winkler added that he got the awning information from a company in Hickory, North Carolina, and this company is who he usually deals with for awnings. He said the frames are mostly aluminum some are steel, and they are available in a wide variety of colors. Mr. Winkler noted that he did not have a color or design; he continued that whatever color or design that is reasonable is okay with him. Mr. Deal asked the HPC if a fabric awning with an aluminum frame would be acceptable. Chair Plaag said yes, a fabric awning and aluminum frame would be acceptable.

Mr. Deal asked Mr. Winkler if another treatment could be used on the first-floor surface other than stucco. Mr. Winkler responded that it was his understanding that the Town does not allow any faux products to be used. Mr. Winkler said there is a natural stone and a thin brick that does not require a foundation. He explained they could be stuck directly to the building like faux rock or stone. He continued to explain that he did not know if these two types of treatment were acceptable. Mr. Winkler said the only way he knows is to put stucco on it and try to make

it look like it used to. He added that the only other change would be installing a fabric awning. Mr. Deal talked about Mr. Lindsey's testimony, and that one of the concerns included the previous application of stucco had been improperly installed and moisture was trapped behind the brick. Mr. Deal said one of the recommendations was to place a metal lath over it before the stucco was attached. Mr. Deal asked Mr. Winkler if he was proposing to replace the stucco on the building. Mr. Winkler said he thought it was the most reasonable and easiest way to adapt to all of the angles and offsets of the building. Mr. Deal said this concludes the questions that he had for Mr. Winkler.

Chair Plaag asked the HPC members if they had questions for Mr. Winkler. Member Watkins asked Mr. Winkler if he could put the old awning back in its place. Mr. Winkler replied in the affirmative, and he explained that the only problem with doing so is that he doesn't know where to find replacements for the old, broken terra cotta tiles on the original roof. Member Watkins asked Mr. Winkler if the old awning could be repaired and replaced. Mr. Winkler replied that the awning could be repaired and replaced due to the rotten plywood and sheathing. Vice-Chair Bond asked when the stucco was applied for the first time on the surface. Mr. Winkler noted Roger Wright and Kenneth Wilcox were the building owners at one time, and they had the stucco applied, which may have occurred around 1995 or 1996. Mr. Winkler said that Mr. Wright would have been in charge of this building and has since passed away.

Discussion ensued on the removal of the stucco. Chair Plaag asked Mr. Winkler if he had a contractor with historic preservation experience to offer an opinion on how to best manage the removal of stucco from the second-story brick. Chair Plaag also asked Mr. Winkler if the historic preservation contractor knew how to rehabilitate the façade of this building. Mr. Winkler replied no to Chair Plaag's questions, and explained he had used his own experience to remove all of the stucco, put the metal lathe on top of the brick, and secure it to the brick and block on that building. Mr. Winkler continued that if it is done correctly, this way of adding the stucco should hold up for years. Chair Plaag asked Mr. Winkler if he was aware that installing a wire lathe over historic brick permanently damages the bricks, so they can never be used as the exterior surface of the building again. Mr. Winkler answered that he wasn't sure if that was the original brick.

Discussion ensued on the exterior materials of the building. Chair Plaag explained that the original building built in the 1930s was made of block, and the brick was applied at different stages over the years. Mr. Winkler said he did not think the brick was historic and that there weren't three different types of brick on that building. He continued to state that one type of brick was put on the building in 1996, and the two types of brick were unknown when they were put on the building. Mr. Winkler said he was unsure how to restore the brick to make it look the same and didn't understand its benefit. Chair Plaag discussed some images included in the meeting packet and available at Digital Watauga. Chair Plaag referred to packet page 200, which indicates that by 1950 the upper portion of the façade on both the South and East elevation was brick and not concrete blocks.

Discussion ensued on the historical significance of the building. Mr. Deal stated that the historical significance is to the people or events, not to the structure and the business. Chair Plaag said the building itself is still part of its historical significance and the standards for the district apply regardless of the area of significance. Mr. Deal said he was not just arguing that it is not a historic building, but that it is not designated as a historical new construction in the area of significance. Chair Plaag said it is a historically contributing building to the historic district, and the elements of integrity define that including the existence of original materials on the building. Chair Plaag said the standards in the district for these buildings apply whether they are listed for their significance architecturally or historically, and the applicant has to meet both standards. Mr. Deal said he is not arguing that the applicant has to meet the criteria; however, he is trying to figure out the possible standards.

Discussion ensued on the building materials of the Wilcox Warehouse building. Chair Plaag referred to packet page 176 and pointed out that the two westernmost buildings in this photo were originally part of the Wilcox Warehouse building and were made of concrete blocks. Chair Plaag explained that there is concrete block in the lower part of the building. He explained when more work was done to the building in 1994 or 1995, they blew out

most of the storefront, remnants of brick, some of which is infill stuck in to fill in gaps, is visible. He continued to explain that this work to the storefront was to create a new set of doorways accessible from that level, as opposed to the ground level, and why the concrete block looks so new. Mr. Deal asked Chair Plaag if he had anything to show that the second level of that building was brick. Chair Plaag shared an image during the meeting that showed on the upper floor and the sides, the brick continues down and continues to the first-floor façade. Chair Plaag said the vast majority of this façade was a garage with bay openings because it was a warehouse. Mr. Deal asked if it was not brick. Chair Plaag said it was brick on the corner sides and between the openings on that façade, but most of that façade on the first-floor level was openings. Mr. Deal stated that it was difficult to determine what was between the windows. Chair Plaag acknowledged there was material except for openings. Mr. Deal said if Chair Plaag was stating his opinion that the whole building was brick, Mr. Deal stated he would disagree with his assertion. Chair Plaag said his point in raising the issue about the brick was not to argue with Mr. Deal about what would be appropriate on the first-floor or the storefront level of this building. Chair Plaag said the destruction done in the mid-1990s to the original skin of this building on the first floor had rendered it not salvageable. Chair Plaag pointed out that the first-floor matter is different from what is going on the second floor.

Chair Plaag read Section 1.2, included in the Staff Report within the meeting packet, and stated it is limited in what is known about the storefront; however, there is good evidence in that image of what the upper façade initially looked like. Chair Plaag continued now that the stucco had been taken off of it, it is at the point where the applicant is to reconstruct it, and that means not putting stucco back over it. Mr. Deal stated to also look at Section 4.2 and Section 4.6.

Ms. Meade assisted the discussion and stated she believed there will have to be staff testimony. She asked Mr. Deal if there was anything further for the applicant's case. Mr. Deal explained that there were two permits granted to replace the stucco and to replace the awning. He continued by stating an engineer provided a report and recommendation to attach metal lath and replace the stucco. Mr. Deal indicated it is his opinion such work would be in congruence with the district, looking at the building and what is down through there. He welcomed the HPC to ask questions, and that Chair Plaag reserved questions for Mr. Lindsey. Mr. Deal emphasized that there is a tenant of the building trying to open a restaurant and has been held up by this process. Ms. Meade stated that Mr. Deal's statement is his rendition of facts and is not evidence. She continued to explain that the HPC is to recall the testimony heard. She provided direction that the HPC is continue with questions as needed.

Discussion ensued on the additional materials submitted to Staff. Chair Plaag explained Staff had received from Mr. Winkler additional evidence via email that contained four documents. He noted that this evidence had been submitted after the meeting packet was published. Chair Plaag explained that there were awning, brick, stone, and stucco samples or finishes in the four documents. He asked Mr. Winkler if these four documents were incorporated into the case for the HPC's consideration; Mr. Deal confirmed that those four documents are for consideration.

Chair Plaag called Mr. Lindsey as a witness. He asked Mr. Lindsey what happens when you apply a wire mesh to an original brick that has been an exterior surface material and apply stucco over the wire mesh. Mr. Lindsey replied that he was not sure about the basis of this question. Mr. Lindsey answered that part of the question would depend on the brick's condition, and there are also three types of brick and concrete at the back wall. He explained that if it is not wanted for the brick to deteriorate from moisture to consider sealing it. He explained his suggestion would be to evaluate by direct testing if the metal lath screws would be acceptable to the brick to hold the length. Chair Plaag asked him when you install the wire mesh using those screws, they penetrate not just the mortar but also the brick surface. Mr. Lindsey said that wherever there is a specific pattern to the screws, depending on the materials to brick, the mortar has to be sunk to a certain depth. Mr. Lindsey continued that would be evaluated by direct testing to see if the brick would hold the screws. Chair Plaag noted that either way, when penetrating the surface of a sealed brick with a screw it is undoing the effectiveness of sealing the brick. Chair Plaag explained that in the pathway where the screw has entered, the brick surface becomes a pathway for

water intrusion. Mr. Lindsey stated the process could be to seal the brick and the screws in the metal lath after the fact.

Chair Plaag referred to the first letter that Mr. Lindsey submitted. Chair Plaag pointed out that the Howard Street Plan is not a Historic Preservation Plan. He asked Mr. Lindsey to set aside the question of the Howard Street Plan and explain why it would be preferred to seal all brick surfaces versus leaving the brick as it is instead of putting the stucco over it as a preferred option. Mr. Lindsey responded that he had previously stated he had to make his observation from the road and walkway, and did not have access to a lift to evaluate the second-story part of the building.

Chair Plaag confirmed with Mr. Deal that he had concluded presenting his evidence; Mr. Deal confirmed. Chair Plaag asked Ms. Turner to state her recollection of the submittal of this case. Ms. Turner said the permit application for a minor renovation was submitted late on March 10, 2022, and the applicant said the work would begin on Monday. She said she first saw the application late on March 10, 2022. She said she called Mr. Judah Goheen, from the Winkler Organization, and asked him how much work he proposed. Mr. Goheen said they would repair patches of stuff falling off the building. She explained this is why she issued a permit on that date because it sounded like they would be doing minor repairs to the building. She said that after that date, she left for vacation. She said the workers took off more stucco while she was on vacation. Ms. Shook called Ms. Turner regarding the removal of the stucco, and this was when Ms. Shook and Ms. Turner decided to make a Statement of Conformity on March 17, 2022. Ms. Turner stated that a Statement of Conformity was issued on March 21, 2022.

Chair Plaag asked Ms. Turner to explain the requirements of the Statement of Conformity. Ms. Turner said the application was submitted on March 21, 2022, when it was issued with conditions. Ms. Turner said the conditions of the underlying historic masonry shall not be subjected to any additional damage or otherwise compromised in the course of the stucco and replacement. Additionally, she continued to read that the scope of work in the narrative, staff must approve any changes or additions before work begins. Chair Plaag asked Ms. Turner to state the proposed description of the job. Ms. Turner read aloud the description to include a stucco repair/replacement, awning repair, and removal of electrical conduit to remove previous tenants plug in lights. She further stated that it is to utilize the same type of stucco consistency and finish, will be painted the same color previously painted, and the replacement of stucco will utilize existing furring strip locations for replacement of stucco on the façade. She continued with the repair/replacement will not further damage the existing materials underneath the stucco. She said the proposed description described the awning, and the applicant will re-order the tiles that were on the awning and only remove the electrical for the sign.

Chair Plaag asked Ms. Turner if he understood this application meant the applicant would utilize the same construction methods. Mr. Turner responded that, in essence, they would use the same types of furring strips in repairing or replacing the stucco where necessary.

Ms. Turner said that approximately the week after March 17, while she was on vacation, the staff went to the site and saw that a lot more work had been done than what was described. She said the applicant, around March 22, 2022, was asked to stop work on the building and to meet with staff. She said the staff asked the applicant to obtain a Certificate of Appropriateness (COA).

Chair Plaag referred to an application for a COA in the meeting packet dated March 24, 2022. He asked Mr. Turner if that was the date the COA application was submitted. Ms. Turner confirmed March 24, 2022, sounds right for when the COA application was submitted. Chair Plaag noted that the permit fee for the COA was not recorded as being received until May 25, 2022. She explained that at that time, Town Council was deciding how much a COA fee would be. She said the permit fee was \$374.00, plus advertising for adjoining property owner letters. She said the Council decided the COA permit fee would be \$100.00 until September of 2022, then Council would re-evaluate the cost of the fee. She believed the applicant was asked to wait to pay the fee until Council had decided

on the fee amount. Chair Plaag wondered whether the staff was asked to wait on the reviewing of the COA application until the fee had been paid. She said no, and the staff continued to review the application without paying the fee.

Chair Plaag asked Ms. Turner what happened after March 24, 2022, and if the applicant submitted any materials to support the case when the applicant paid his permit fee. Ms. Turner said that the staff did not receive information from the applicant until May 25, 2022, and the staff received the engineer's letter and photographs. She said that on June 9, 2022, the staff received a paint color sample and a project description. Chair Plaag asked Ms. Turner to explain what happens on the Town staff side once they received the information on May 25, 2022. Ms. Turner said that as soon as the staff received the information, they began to prepare a staff report for the HPC. She also noted that someone during the testimonies stated a project cost of \$225,000.00, but the applicant put \$29,000.00 on their application. Chair Plaag asked if the amount listed on the permit was relevant to the Town's codes and processes. Ms. Turner said we have a tiered system for existing buildings, and the project costs dictate what the applicant must do to the building to meet code standards. Chair Plaag confirmed with Ms. Turner that the repair work cost is not considered part of the tiered system.

Chair Plaag asked Ms. Turner to continue to explain what the staff does after they prepared the staff report on May 25, 2022. She said the staff reviewed the project descriptions and incorporated them into the staff report, and the adjoining owner property is posted according to the UDO requirements. He said the first meeting packet was published in June for the July quasi-judicial hearing.

Vice-Chair Bond asked Ms. Turner to clarify if the work on the restaurant is independent of the façade. Ms. Turner said that the proposed restaurant work is on a different permit application.

Chair Plaag asked Mr. Deal if he wanted to cross-examine Ms. Turner. Mr. Deal asked Ms. Turner if it would be expected for a person opening a restaurant to order a lot of equipment to be able to open the restaurant. Ms. Turner said yes, and the building inspector described that there was a lot of equipment left in the space the applicant was going to use. She noted that the applicant is supposed to include the restaurant equipment cost with their total building project cost.

Mr. Deal asked Ms. Turner about an email that she sent to Mr. Judah Goheen on March 15, 2022, saying the deadline to apply for the COA was March 24, 2022, before 3 p.m. for the May 10, 2022 meeting; he asked Ms. Turner if that was the recollection of that email. Ms. Turner said that was correct, and she remembered that email. Mr. Deal stated the email include a COA for the awning. She said the COA was for demolishing any part of the building or structure, including the awning and the terra cotta tiles as an addition to demolition to any part of the building or structure.

Chair Plaag asked Ms. Turner when she indicated that the deadline for the submittal of a COA application was to be listed on a given date, is it generally understood from the application that all supporting materials have to be in by the date for an applicant to meet the next date is for being on the agenda. Ms. Turner said yes, that is the general rule. She noted that the staff does accept some materials after that date up until we have to publish the meeting packet. Chair Plaag said that for an applicant submitting materials on May 25, 2022, the supporting documentation for a COA application wouldn't be sufficient to meet an early May COA hearing date.

Chair Plaag noted that at this point, we do not have other witnesses to testify for this case. He asked the staff if they had received any letters or requests to appear before this hearing. Ms. Mitchell said no, the staff had not received any letters or requests to appear before this hearing.

Discussion ensued on the comments from the HPC regarding this case. Vice-Chair Bond noted that she was having difficulty keeping up with the timing from when the applicant got a permit to do minor stucco repair, then less than a month, the whole proposed work had changed.

Chair Plaag said that he wanted to speak about some of the standards that were in place for this building and why he believed the applicant's proposal for this building is not appropriate. Chair Plaag referred to Section 1.2 and, in his opinion, this building features stucco at the South elevation that was installed using a flawed design in the 1990s. He said the stucco continues onto the East elevation, which is the upper half of the building, and it presumably suffers from the same problems. He hoped that a property owner recognizing that a problem like that would exist would also want to remove and correct the problem. He said, in his view, the visual evidence from the 1950s, which is during the period of significance for the district, shows that the second story of this building on the South and East elevations was covered in brick and that brick still survives. He stated his preference would be for the remaining stucco to be removed from both of those elevations, and completed following historic preservation guidelines and the district standards.

Chair Plaag stated, regarding the first-floor storefront on the South elevation, it was open to a redesign that meets the needs of the incoming applicant, and is congruous with other storefronts in the historic district, particularly along Howard Street. He said the applicant suggested various materials that can be used to accomplish the right storefront without it looking out of place. He said that it would be a brick or concrete block, and the concrete block would not be attractive. He said a stone finishing is like a natural stone, if the applicant were so inclined to use it. He stated it would not be stucco because stucco is not historic to the district as a historical material.

Chair Plaag read Section 1.5 and explained because the stucco has fallen off the upper façade, the replacement windows installed into those openings, probably in 1995, are exposed and it would be difficult to replace them as they are missized to the original openings. He said this is an opportunity for the applicant to replace those six windows with windows that are more historically appropriate to the historic district. He said the alternative is to find a way without altering the historic appearance of those brick window openings, or find an alternative way to repair the existing windows that is visually appropriate to the historic district. He said National Park Service Guidelines might help explain if there is any doubt about whether the façade should be removed. Chair Plaag read Section 1.6 and said this goes with the issue of the underlying brick that is now exposed.

Chair Plaag read Section 6.11, and he said in this particular case, the owner had removed the awning because it in had failed and rotted out from its frame and decking. He continued to explain that a number of tiles are missing from it. He believed that the applicant indicated his willingness to replace the awning with a more appropriate awning type. He indicated the applicant had provided awning samples. He detailed the provided awning samples submitted and explained which ones were appropriate. Chair Plaag stated the awning with red columns, and the one with the visible open frame is inappropriate for the historic district. He said the other samples, including the awning type with a metal frame, considering the awning is fabric and not vinyl, are appropriate types and would be suitable replacements for this building. He stated his willingness to work with the applicant to develop an awning that is appropriate to the historic district and placed on the storefront that needs to be redesigned.

Chair Plaag read Section 7.9, and he said it was evident from the image we were looking at earlier, that this building initially had terra cotta tiles as the coping element. He said the stucco would have to be removed, creating a gap that the current coping will not work on. He said this was an opportunity for the applicant to restore the original design element coping with this building.

Member Watkins explained his thoughts on this case. He said that we have a series of buildings that have been worked on over the years, and there does not seem to be a way to return them to their original façade appearance because it's made up of a variety of materials added over a period of time. He said the materials are mismatched and fairly cobbled together. He believed the choice was to either create a new building or use stucco to match what had been removed. He expressed his interest to find the most helpful solution to this situation.

Member Watkins discussed the awning, and explained if the applicant is to put a new style of the awning to meet the historic district standards, it will create a mismatch at the other end of the building. He added that the entire

façade of that group of buildings had been altered by adding the raised walkway, which changed the appearance of the whole building.

Chair Plaag told Member Watkins that he disagreed with his interpretation, and again he read Section 1.4. Chair Plaag indicated this standard is very clear about this exact example. He explained that if this was new construction, the HPC would have to apply the new construction standards, in which stucco is not an accepted new construction element in the historic district. He pointed out that this building is historically independent of the two buildings to the West. He said they are not historically linked, they were built at different times, and different owners owned them when they were built. He said they have become linked to the 1990s because of poor aesthetic choices made during the 1990s. He said in terms of historical components of the building, this building is a separate and independent building from anything to the West. Member Watkins concurred, but he didn't think the HPC could compel any owner to restore the Town from the past. He expressed that he did not see the HPC's purpose served by insisting on restoring this building other than what it was initially, which was a warehouse.

Discussion ensued on the building materials by Chair Plaag and Member Watkins on the building material outside the building. Member Watkins said he looked at the first floor of the building, and due to the combination of materials, it did not look like the original appearance of the building was recoverable. Chair Plaag said, in his opinion, the exterior skin is the actual brick that was on the second floor of the building. Member Watkins asked Chair Plaag what he would suggest restoring on the exterior of the second floor of the building. Chair Plaag suggested a modern contemporary storefront that would cover up the combination of materials, which Section 1.4 calls for in the historic district. Member Watkins conveyed he did not see what Chair Plaag suggested as an improvement to the building. He thought Chair Plaag was suggesting new construction, and what is being proposed by the applicant does not meet the standards for new construction in the historic district. Member Watkins detailed that the applicant is putting back on what they are taking off and did not see that as new construction. Chair Plaag said the standards are clear that non-historic materials in the historic district should be removed whenever possible. Member Watkins expressed that in this case, he thought it was excessively stringent to remove the non-historic material because of what is under it. He further explained that if this was an architecturally significant building and a significant amount of original material survived, it could be restored to its original appearance. He said there would be some reason to ask the applicant to remove the non-historic material. Member Watkins said that when this project was completed, he did not think the result would add anything more to the historic district than what was already there.

Ms. Meade stated that the evidence has not been accepted into the record, and it is appropriate to officially accept into the record all materials in the packet. She expressed the exception that if the applicant objects to the narrative on page 179, that could be excluded. Further, she stated the evidence presented as new material needed to be included. Chair Plaag asked if there were no objections he would accept into evidence the additional materials submitted and the version of the packet for this hearing. Mr. Deal objected to the said narrative but had no objection to the additional materials mentioned at this meeting being accepted as evidence. Chair Plaag noted the objection and excluded the History section on pages 179 and the top of page 180 of the meeting packet. Chair Plaag accepted into evidence the additional materials submitted for this meeting, the version of the packet for this hearing, and excluded the exception as stated by Mr. Deal.

Mr. Deal said the HPC is continuing to discuss among their members, and he thought the HPC needed to continue their discussion. He stated if the HPC decided on certain conditions, his applicant could discuss them.

Discussion ensued on the scheduling of the next meeting to continue this case. Ms. Meade said that she could meet with the HPC on Monday, August 15, 2022, at 3:30 p.m. Chair Plaag, Vice-Chair Bond, Member Watkins, Mr. Deal, and Mr. Winkler and the members of the Planning Staff said they could meet on the said date and time to continue this case.

Adjournment

At 5:50 pm, Chair Plaag announced that he is continuing this case until Monday, August 15, 2022, at 3:30 pm, via WebEx or until the next regularly scheduled quasi-judicial hearing date.

Eric Plaag, Chair

Marlene Crosby, Board Secretary

Communication: August 9, 2022 HPC Quasi-Judicial Meeting Minutes (Approval of Minutes)

TOWN OF BOONE
SPECIAL HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
AUGUST 15, 2022, 3:30 p.m.
WebEx Video Conferencing

Historic Preservation Commission Members in Attendance:

Chair Eric Plaag, Vice-Chair Bettie Bond, and Chuck Watkins

Town Staff in Attendance:

Jane Shook-Director of Planning and Inspections, Christy Turner-Senior Planner, and Marlene Crosby-Board Secretary

Others in Attendance: Allison Meade-Town Attorney, Engineering, Jim Deal-Deal Moseley and Smith, John Winkler-Howard Street Ventures II, LLC, Laurence Lindsey-L Squared Engineering

Call to Reconvene

Chair Eric Plaag reconvened the Boone Historic Preservation Commission hearing from August 9, 2022, held via WebEx, at 3:32 pm.

Case Z05737-052522 Howard Street Ventures, LLC (Wilcox Warehouse) – COA

John Winkler on behalf of Howard Street Ventures, II, LLC (Wilcox Warehouse), has requested a Certificate of Appropriateness for Major Work (COA) to repair/replace and modify the exterior façade at 161 Howard Street (Watauga County PIN: 2900-79-8147-000). The applicant proposes to replace damaged stucco with natural stucco as well as repair the awning and roof.

Chair Plaag reconvened the case from the August 9, 2022 meeting.

Chair Plaag swore in Ms. Jane Shook, Director of Planning and Inspections, Ms. Christy Turner, Senior Planner, Mr. John Winkler, an applicant for Howard Street Ventures, LLC, and Mr. Laurence Lindsey for L Squared Engineering.

Chair Plaag asked the Historic Preservation Commission members three questions. Did any commissioner have a fixed opinion about the case that is not susceptible to change; does any commissioner have 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; and third, has any commissioner engaged in any undisclosed ex parte communication regarding the application? There were no answers in the affirmative.

Chair Plaag noted that there appeared to be some issues of fact, that were in dispute with regard to the case, primarily concerning the history of the materials that were uncovered due to the failure of the stucco on this building. He asked Ms. Meade if it would be appropriate for the HPC to make findings of fact to those questions from the last meeting before the HPC obtains approval or non-approval of the application or discussion of approaches to repairing the façade. Ms. Meade noted she thought it was appropriate.

Chair Plaag asked if there was any dispute that generally speaking, the approximate appearance of the applicants building at the time the decision was made to move the request to a COA application that, in essence was the same as the current condition of the building. Mr. Deal indicated there was no objection.

Chair Plaag indicated that he would like to refer to the board packet to review a few of the photos and asked Ms. Shook to share them on the screen for all to see. Chair Plaag first described the first floor façade of the building shown on packet page 174. He pointed out the following building elements: modern window and door treatments that are not historical; concrete block that did not appear to have ever had a painted finish or any other type of refined finish applied to it other than the stucco that was over it; that the concrete block looked new and not a component from the 1940s or 1950s; that on the far left of the photo a large window is shown followed to the left by four more windows; that to the left of the windows was a small seam of brick that extended down and adhered to the painted white concrete block that was uncovered, when the stucco came off. He noted that this last

component was related to the adjacent Wilcox Warehouse building that is located to the west of the applicant's building.

Chair Plaag next referred to the photo on packet page 198. He noted he believed the photo was taken circa 1960. He noted in the far distance, partially obscured by the trees, was the west building of the Wilcox Warehouse, and noted that the light-colored building in the center was the east building of the Wilcox Warehouse. He noted that the next two-story building in the image was the applicant's building. He pointed out a contrast in the masonry between the applicant's building and the east building of the Wilcox Warehouse as they appeared in 1960. He noted the Wilcox Warehouse building was very lighted colored, possibly because the concrete block was painted white.

Chair Plaag next referred to the photo on packet page 200 and noted that a clearer image of this photo could be viewed on the Digital Watauga website. He noted that it was clear from the photo, that the applicant's building was composed of masonry that appeared to be brick. He noted the east tower of the Wilcox Warehouse seemed to have concrete block on it, and the east building of the Wilcox Warehouse appeared to be brick.

Chair Plaag next referred to the photo on packet page 176 submitted by the applicant. He noted no portion of the applicant's building was visible in the photo. He noted, as discussed about the 1950s image, the building had concrete block on it that was not painted white. He noted the building to the west appeared to have brick rather than concrete block; that to him indicated that sometime between 1944 and 1960, the façade was painted a lighter color, possibly white.

Chair Plaag then referred to the photo on packet page 200 and noted that the second-floor façade of the applicant's building contained a fenestration pattern of six evenly spaced windows running across the south elevation second-floor façade. He noted on packet page 174 that the same fenestration pattern was visible in 2020. He further noted that these were not the original windows in the openings, and the fenestration pattern had not changed. He noted this meant that upper façade had not been modified to create bigger openings or to enclose the openings. He pointed out that the upper façade has not been changed from the period of significance for the district.

Discussion ensued on identifying any disputed facts. Chair Plaag noted that the applicant's counsel had disputed whether the brick material uncovered on the second-floor façade is historic as defined by the standards for the district. Chair Plaag indicated he also though a finding of fact whether the materials that lie beneath the stucco on the second floor east and south elevations are historic materials as defined in the standards.

Ms. Meade noted that the Commission should do their best to keep facts separate from the application of standards. Chair Plaag indicated his agreement and noted that he didn't believe that there was sufficient evidence available to definitely say the second floor material dates to the estimated date of construction in 1948. He further indicated that he would make a motion that there was sufficient evidence that the brick on the building does date back to period of significance for the district, which is expressed as 1918-1965.

Discussion ensued on the information contained in the Sanborn Maps.

Member Watkins noted that he was looking at the Sanborn Maps that indicated that the buildings were concrete construction. Chair Plaag indicated that though the Sanborn Maps were not entered into evidence he didn't think there was any harm to introduce them so long as there was no objection from the applicant. Mr. Deal indicated there was no objection.

Chair Plaag then shared on his screen the Sanborn Maps for the Town of Boone. Chair Plaag then described what was shown on the map for that portion of Howard Street. Chair Plaag noted that sometime there was an error in the Sanborn maps and noted that though the Sanborn Map noted the building in question was concrete block, he thought it was likely the building had been mapped before the construction of the building was finished. Mr. Deal objected to what he thought was Chair Plaag's characterization of what had occurred since he wasn't there and that there was no evidence submitted as to what had actually occurred.

Member Watkins asked Chair Plaag to explain the particular point that is in dispute. Chair Plaag said he had already explained that on packet page 174, the photo showed a thin seam of brick that appears to match the second-floor

brick that is visible in the applicant's photo at the west of that façade. Member Watkins asked if the Commission was assuming based on the photo that the entire façade of the applicant's building was initially brick cladding, and then somehow, the brick on the first floor disappeared. Chair Plaag said yes, on the first-floor façade, the brick and its piercings disappeared, and its fenestration pattern was obliterated as part of the renovations in the 1990s, except for the thin seams of brick that are original. Chair Plaag said he did not want to give the impression that there was a long expanse of brick along the wall of the first floor of the applicant's building at any time. He said there were several garage bay openings along the first floor of the applicant's building, as noted in the meeting packet.

Chair Plaag made motion that it was a finding of fact that based on the available historic photographic evidence, as well as the present photographic evidence submitted by the applicant that the brick elements that are visible on the second floor of the south elevation of the applicants building as well as the material that lies underneath of the stucco on the second floor, east elevation is brick that dates to the period of significance for the district, which is the period between 1918 and 1965; and for the purposes of this building dates to the period between 1947 and 1965. Chair Plaag asked if there was any discussion on the motion. Commission Member Watkins indicated that he understood that there were problems with the Sanborn Maps but he had never seen anything like the current maps where a surveyor was looking at brick and recorded it as concrete block. Chair Plaag then called for vote on the motion.

Vote: Aye-2 (Bond, Plaag)

Nay-1 (Watkins)

The motion passed.

Chair Plaag next made a motion that it was a finding of fact that based on statements made in evidence by the applicant's witness and descriptions in the packet submitted by the applicant of the proposed stucco repair application, the proposed work would cause permanent and irreversible damage to the second floor façade on both the south and east elevations.

Mr. Lindsey indicated that he objected to the motion. Mr. Lindsey noted that no one had proved that there was original brick on the building. Ms. Meade noted that it was not appropriate time for discussion from the applicant's witness. Mr. Lindsey continued to object. Ms. Meade noted that while Mr. Lindsey was out of order, she suggested that the Chair give more of an explanation for the finding of fact.

Chair Plaag explained that when he previously asked Mr. Lindsey how he would attach the brick, then Mr. Lindsey described using wire mesh. Chair Plaag said that at that time, he asked Mr. Lindsey whether that wire mesh would require penetrating the surface of the brick and putting holes in the brick. Mr. Lindsey responded that is correct that the screw would penetrate the brick but not the mesh. Mr. Lindsey continued to object. Ms. Meade indicated that now was a time for debate, that this was a situation where the HPC is making findings of fact. Mr. Deal asked Mr. Lindsey to refrain from speaking but noted that he objected because he thought Chair Plaag was giving his opinion rather than facts regarding the damage to the building.

Chair Plaag indicated that he would like to further explain the reasoning behind the motion. Mr. Deal again objected to the Chair's opinion as being fact. Ms. Meade noted that his objection was noted for the record. Chair Plaag continued that the reason for the motion is that not only the material submitted in the packet, by the applicant, which describes the process for attaching the treatment, to whatever the substrate is, but also the answers from Mr. Lindsey on direct questioning, indicated that attachment of the wire mesh would have to go through the brick in order to make that treatment successful. Chair Plaag called for a vote on the motion.

Vote: Aye – (Bond, Plaag)

Nay – (Watkins)

The motion passed.

Chair Plaag next made a motion, seconded by Vice-Chair Bond, that based on statements made in evidence by the applicant's engineer, Mr. Laurence Lindsey from L Squared Engineering, the photographs in the meeting packet showed the second-floor, east façade was likely composed of the same brick material seen on the second floor, south façade. And given that the second-floor, east façade is covered with stucco that was likely applied using the same methods at the same time as the stucco applied to the south façade in the 1990s, the current stucco treatment is likely to fail and potentially cause damage to the historical materials of the second-floor façade.

Mr. Deal objected to the finding of fact in this motion because he said there is no evidence or testimony to support it.

Vote: Aye - (Bond, Plaag)
Nay - (Watkins)
The motion passed.

Chair Plaag then made a fourth motion, seconded by Vice-Chair Bond, that based on visual evidence submitted in the meeting packet and statements by the applicant's engineer witness, Mr. Laurence Lindsey from L Squared Engineering, the evidence indicated that multiple sources of modern infill material and various modern piercings had penetrated the first-floor façade of the south elevation of the applicants building. The Historic Preservation Commission finds that the historical materials and appearance of the first-floor façade have been largely destroyed and are therefore unrecoverable.

Mr. Deal agreed with this finding of fact because he did not know what was on the first floor.

Vote: Aye - All
Nay –None
The motion passes.

Discussion ensued on the historic district standards. Chair Plaag indicated that he though the standards in 1.2 were clear that the Commission had an obligation to preserve the upper façade and the non-historic coverings of the upper facade should be removed. He continued that the Commission already knew the stucco that was on the south elevation failed, because it was improperly installed and there is evidence that suggests that stucco on the second floor, east elevation is probably applied in exactly the same way. He further indicated that in the interest of helping the applicant preserve his building, not do further damage, and not have an instance of all of that stucco coming crashing down either on the roof of the next door building or on people walking on the sidewalk, it would be wise to remove the stucco on the east elevation, especially since the standard at 1.6 encourages that. and the standard recommends, you know, the language is should be removed, the standard encourages that.

Chair Plaag noted the Commission had made a finding of fact that the first floor of the south elevation that there is nothing to recover of the facade elements but that overall the architectural integrity of the first floor was obliterated. He continued that standard 1.4 notes that when a storefront can't be saved, the applicant shall retain the commercial character with contemporary a contemporary design compatible with surviving and surrounding buildings and felt that the Commission should guide the applicant on what materials would be appropriate for a "contemporary design". He noted the standards were clear what materials were and were not appropriate to the district; that stucco is one of those that was not appropriate to the district in new construction or contemporary design. He said this puts the HPC into a position to guide the applicant on making a storefront for the first-floor level of the building that is congruent with the district and meets the standards of the historic district for new construction of a storefront with a contemporary design.

Mr. Deal asked Mr. Winkler if, in his opinion, he had a doable repair to the first-floor brick above the walkway. Mr. Winkler asked if it was acceptable to use wood siding rather than brick on the first-floor façade to make this process go faster.

Discussion ensued on the use of wood siding as a façade building material. Chair Plaag explained that the applicant's building is located in the Town's Central Fire District, with certain fire code restrictions on building materials. Ms. Shook consulted with a building inspector who said that any wood could be used as long as it meets the building code and it does not have to be fire retardant.

Discussion ensued on the replacement windows for the building façade. Mr. Winkler noted that about three window frames on the second-floor façade are rotten and need to be replaced. Chair Plaag let Mr. Winkler know that the historic district standards in Section 1.5 state that the requirement to replace windows is to use windows that match the original windows in configuration, appearance, materials, and the windows that were there during the period of significance. Chair Plaag told Mr. Winkler that a Palmer Blair photo is available that shows the windows of his building, and the staff could provide him with a copy of it. Chair Plaag also noted that the windows should be wood and not of vinyl material.

Discussion ensued on the applicant providing a sketch of the proposed storefront design. Chair Plaag explained that the proposed contemporary design drawings featuring wood elements to create a new storefront would have to meet the historic standards regarding new construction for storefronts and staff approvals. He said if the staff in their review saw something that needed further review by the HPC, they would bring the case back to the HPC. Chair Plaag asked Mr. Winkler if he would be all right with this arrangement for efficiency. Mr. Winkler voiced his concern about reviewing his proposed design drawings and possibly being brought back to the HPC if the staff finds an issue in their review. Ms. Meade told Mr. Winkler that the HPC is offering him the flexibility to present proposed design drawings to the staff to review, and they will determine if the proposal meets the historical standards; if not, they will present it to the HPC to review.

Ms. Shook said it is her understanding that the HPC is working with the applicant to decide how to proceed with the façade renovation on the first-floor façade. She said if the applicant is using wood products, the staff would need to know the size, type, and color of the wood, and the staff would also need the details of the awning and brick materials.

Chair Plaag noted that he wanted to make it clear that he was not specifying wood siding but wood elements that comply with the historic standards for storefront design new construction.

Chair Plaag explained that the HPC had not seen a proposed design plan from the applicant. He added that the good faith part on the HPC's side is to say, as long as the applicant is meeting the standards in the design plan that is submitted and it does not violate any section of the standards; the HPC would grant a COA. He encouraged the applicant to review the standards and work with the staff to create a design congruous with the district for new construction storefronts. He suggested that the applicant not-substitute materials for wood or other materials.

Ms. Meade voiced her concern to Chair Plaag that she knows that the HPC wants to help the applicant move his project along, but the HPC the right to require a design be submitted with specific materials to be reviewed by the HPC for approval.

Discussion ensued on the proposed design plan. Chair Plaag noted that the applicant had stated that they need direction to know what they need to propose, and because of this, he suggested the HPC meet with the applicant in two weeks if that gives the architect enough time to create a proposed design plan for the first-floor façade. He said the proposed design plan could be submitted to the staff for review.

Mr. Deal voiced his concern about potential issues with the proposed design plan, possibly not being accepted. He said they might have to move into the re-design phase, perhaps leading to a future meeting. He pointed out that there is not a list of acceptable wood products in the standards, which is a struggle for the applicant to find a product that meets the standards. He said this struggle could lead to a lot of back and forth. He noted that the applicant could try to get a proposed design plan to the staff, and in two weeks, at the next meeting, we can address it again. Mr. Deal confirmed that if the staff cannot approve the proposed design plan, they will present it to the HPC for review.

Ms. Shook voiced her concern transferring the review to staff because the standards for new construction, specifically materials, do not give any guidance regarding to siding or other appropriate materials. She pointed

out that from the staff's perspective, Staff would only apply the standards for new construction to the proposed design plan. She said that Staff may not be looking for contemporary wood elements in the review of the plan the same way the Commission would.

Chair Plaag asked Vice-Chair Bond and Member Watkins if they preferred to see a proposed design plan before issuing a COA for this case. Member Watkins responded that if given a choice, he would approve the request to re-stucco the building because he thought it was the only solution that removes the issue of having to design the storefront. He said he was uncomfortable with the other recommendations made by the HPC.

Vice-Chair Bond said some discussions have ruled out the re-stuccoing of the façade. She felt the second-floor façade, which is brick, needs to be cleaned up and the old stucco taken off of it, rehabilitate the brick, and add new windows. She said the first-floor façade is beyond any kind of restoration. She said she would prefer to see a proposed design plan because she does not want to approve a COA until the HPC is ready.

Mr. Lindsey commented on the bricks on the second-floor façade. He said that every brick there is either partially or completely damaged, and the bricks have the potential to be sealed, but the brick surface will never appear uniform. He further commented that he had examined the brick on the second floor, and most of the bricks are in some state of deterioration.

Ms. Shook noted that the staff is available to assist the applicant in the process if necessary.

In summary, Chair Plaag pointed out that the HPC had reviewed with Mr. Winkler about removing the stucco and preserving the brick on the building to ensure that it lasts on both the second-floor, south elevation, and the visible portion of the second floor, east elevation. Chair Plaag said the HPC gave some general guidance about a contemporary storefront design and that Mr. Winkler had suggested using wood products as long as the products meet the relevant section of the standards for the district regarding new construction for storefronts. He said that a fabric material was suggested for the awning. He suggested that the architect follow these ideas as provided by the HPC.

Mr. Winkler asked Chair Plaag how he should address the existing windows when making the proposed design plan. Chair Plaag suggested that Mr. Winkler propose replacing the windows with a wood and the appropriate window muntin type. Chair Plaag pointed out that if Mr. Winkler had to come back to the HPC later to review the replacement windows, that would require a new COA application. Ms. Turner pointed out that a COA is valid for one year. Ms. Turner provided contact information for Ms. Jennifer Cathey, who is with the State Historic Preservation Office (SHPO) and can suggest what to use to help restore the building.

Chair Plaag asked Mr. Winkler to submit his supplemental materials to the staff by Friday, August 26, 2022.

Discussion ensued on the date and time to continue this case. Chair Plaag suggested scheduling a special HPC meeting to continue the discussion on this case. The HPC members, the Staff, Ms. Meade, Mr. Deal, and Mr. Winkler agreed to continue this case on Tuesday, August 30, 2022, at 4 p.m. via WebEx.

Adjournment

At 5:12 pm, Chair Plaag announced that this case would be continued until Tuesday, August 30, 2022, at 4:00 pm, via WebEx or until the next regularly scheduled quasi-judicial hearing date.

Eric Plaag, Chair

Marlene Crosby, Board Secretary

TOWN OF BOONE
SPECIAL HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
AUGUST 30, 2022, 4:00 p.m.
WebEx Video Conferencing

Historic Preservation Commission Members in Attendance:

Chair Eric Plaag, Vice-Chair Bettie Bond, and Chuck Watkins

Council Liaisons: Virginia Roseman

Town Staff in Attendance:

Jane Shook-Director of Planning & Inspections, Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner, and Marlene Crosby-Board Secretary

Others in Attendance: Jim Deal-Deal Moseley and Smith, John Winkler-Winkler Organization, and JC Feimster

Call to Reconvene

Chair Eric Plaag reconvened the Boone Historic Preservation Commission hearing from August 15, 2022, held via WebEx, and called the meeting to order at 4:02 pm.

Case Z05737-052522 – Howard Street Ventures, LLC (Wilcox Warehouse) Certificate of Appropriateness

John Winkler on behalf of Howard Street Ventures II, LLC (Wilcox Warehouse), has requested a Certificate of Appropriateness for Major Work (COA) to repair/replace and modify the exterior facade at 161 Howard Street (Watauga County PIN 2900-79-8147-000). The applicant proposes to replace damaged stucco with natural stucco as well as repair the awning and roof.

Chair Plaag swore in Ms. Jane Shook, Director of Planning and Inspections, Ms. Christy Turner, Senior Planner, Ms. Jessica Mitchell, Long-Range/Special Projects Planner, and Mr. John Winkler, the applicant for Howard Street Ventures, LLC.

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; and had any commissioner engaged in any undisclosed ex-parte communication regarding the application? There were no answers in the affirmative.

Chair Plaag noted that he had recently received an email from Member Watkins containing a procedural question regarding this case; he said he did not respond to the email but forwarded it to Town staff for review. After reviewing the email, Town staff asked Member Watkins to hold his question regarding this case until this meeting.

Chair Plaag pointed out that Mr. John Winkler, the applicant for Howard Street Ventures, LLC (Wilcox Warehouse – COA) had submitted on August 26, 2022, new material found on page 67 of the meeting packet under Exhibit 12 and Exhibit 13. Chair Plaag noted that Exhibit 12 is a letter dated August 24, 2022, from Brent Davis Architecture, Inc., describing the exterior materials proposed to be installed or modified on the building's first and second stories. Chair Plaag confirmed with Town staff that the staff report for this case had not been modified since the last meeting. Chair Plaag asked Mr. Jim Deal, attorney for the applicant, if he objected to the material in the meeting packet, including the new proposed material, Exhibits 12 and 13. Chair Plaag noted that Exhibit 13 is a color rendering of the building. Mr. Deal had no objection to the new material in the meeting packet.

Chair Plaag said if there are no objections from Town staff, the applicant, or the HPC members, he would open the floor for Member Watkins to ask his questions regarding information that has been presented up to this point

for this case. Chair Plaag asked Member Watkins to hold any comments that he had regarding the new proposed material in Exhibits 12 and 13 that the applicant has not yet presented. Hearing no objection, Chair Plaag asked Member Watkins to make his comments.

Member Watkins commented on two digital images of the Wilcox Warehouse building that he had found in the Digital Watauga photography files. He said he was hoping to locate a better image of the building. He said the images were listed as PAL-BLA-04-032 dated 1950 and PAL-BLA-04-104 dated 1954, and they are the same photograph, but they are cited differently with different dates. He said the images show the building in brick, but unfortunately, the image is clipped off enough that it is noticeable something has happened with the first-floor, but you cannot tell if it was original. He said if we could see in the image the first-floor elevation entirely, we know that it does not exist anymore because of the walkway built there. He said it would be impossible to duplicate the original material.

Member Watkins talked about the second story; he said it is assumed the brick on it is original. He said, in his view, almost all of the brick on the second story is either partially or entirely spalled. He referred to the Secretary of Interior Standards for the Treatment of Historic Properties. He read from the Standards for Restoration, Item 2:

Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces and spatial relationships that characterize the period will not be undertaken. He said that this information would seem to argue for the brick to remain in place and be visible. He said the problem is that the brick, for the most part, no longer has its original face. He felt that no amount of sealing would restore the look of the original surface.

Member Watkins continued to read from the Standards for Restoration, Item 6:

Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of the deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials.

He said if taking that information literally, it would seem to argue for the need to remove the brick and replace it with a matching new brick. He noted that would be very difficult to do, especially since whatever brick remained on the first-floor had disappeared because of the presence of the walkway. He said he felt it difficult to imagine asking the applicant to replace the entire existing brick façade, or to try and seal the existing façade to make it look as it did when the building was first constructed.

Member Watkins talked about the proposed façade materials discussed at the previous meeting for this current COA case, which included the wood cladding to be used on the first-floor façade and the suspended flat awning type found on certain buildings on King Street. He said all of the proposals for the façade are essentially merging a deteriorated second-floor brick façade with some conjectural first-floor components, and these proposed remedies did not seem helpful. He read the Standards for Restoration, Item 7:

Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.

He said, in his view, the various proposals that have been suggested violate this section of the Standards for Restoration in one form or another. He referenced the following addresses of the surrounding buildings on Howard Street at 182, 191, 205, 216, and 222; he noted that these property owners had used stucco to update the appearance of the concrete block. He said the only real full understanding we have of the façade on the applicant's building is a stuccoed façade with the matching awning. He said although we may not like the stucco on the building, he is inclined to see its merit.

Chair Plaag responded that when there is a question on best practice, the HPC is guided first by the Standards for the Historic District (Town of Boone Unified Development Ordinance Appendix D), which takes precedence over the Secretary of the Interior Standards for Rehabilitation and any underlying guidelines from the National Park

Service (NPS) must be considered. He noted that the HPC is first guided, broadly, by the Secretary of Interior's Standards, second are the historic district standards, subject to change at any time through the usual UDO text amendment processes. He said when there is a question about what is the best practice, the HPC should look at the Secretary of the Interior Standards guidelines and enforce those 10 Standards for Restoration, and interpret those standards to find the best solution.

Chair Plaag further stated that there are times when all the things required in the standards cannot be completed. He said, in this case, the appearance of the Wilcox Warehouse building has not been preserved over time. He explained, on occasion, standards conflict with one another; he continued that it is the responsibility of the Commission members to interpret all of the standards to find a solution that complies with the standards as closely as possible.

Chair Plaag referred to UDO Appendix D, Downtown Boone Design Guidelines and Handbook, Section 1.4 for commercial properties in the historic district. He pointed out that this section makes it clear what needs to be done to retain the commercial character with a contemporary design compatible with the surviving and surrounding buildings. He emphasized that the first-floor level of the building doesn't exist anymore, and there is not enough original material there to bring it back to its original state or to what it looked like in its period of significance. He said all the HPC could do was agree on a contemporary design for a storefront that would be new construction and is compatible with surrounding buildings.

Chair Plaag referred to UDO Appendix D, Section 1.2 for commercial properties in the historic district, and referenced that the second-floor façade and the other elevations of the building, when their components are uncovered or when they survive, should be preserved, regardless of what else might have happened on the building, including on the first-floor façade. He said this was why he recommended that the stucco be removed.

Chair Plaag referred to Appendix D, Section 1.6 for commercial properties in the historic district, and pointed out that this section states that non-historic coverings of upper facades should be removed. He said stucco is a non-historic covering of this building, and it was not there during the period of significance. He said the stucco was installed on the building in the 1990s. He said that throughout the district, stucco was not a commonly used material during the period of significance until the very late part of that period.

Chair Plaag explained that Mr. Winkler had previously asked the HPC for guidance on replacing the windows on the second-floor elevation, and the HPC had advised Mr. Winkler to use wood material for framing and try to keep with the muntin window pattern seen in the 1953 image of the building.

Chair Plaag explained that the applicant had not conferred with a restoration specialist who is familiar with working with historic brick to get their feedback on the condition of the brick. He said no one had been up on a ladder to assess the condition of the brick, except possibly Mr. Laurence Lindsey, from L Squared Engineering. Chair Plaag said the HPC had to work with the facts they had before them on this case. Chair Plaag said he was open to the applicant finding an appropriately credentialed preservation specialist to examine the brick, to see if the brick needs to come off and be replaced with a similar brick to comply with the historic district standards and the NPS guidelines. Chair Plaag said he could tell the applicant does not want to do that because that is more expensive than what has been proposed. He said if removing the stucco and sealing the brick does not work and there are water issues, then there needs to be a discussion on how to resolve those issues. He reiterated that covering the building with stucco, a non-historic material, in the historic district simply because it had stucco on it during the non-historic period of the historic district is not a solution under the historic district or NPS standards.

Member Watkins disagreed with Chair Plaag and said there were two choices: to restore the façade that existed for many years that matched surrounding buildings, or invent a new appearance for the building. Member Watkins said he did not like either one of these choices. He said that in fairness to the applicant, he thought restoring the façade that we know existed was the better of the two choices. Chair Plaag said it is clear in the historic district

standards that non-historic materials are not supposed to be used for rehabilitation or new construction in the historic district. Member Watkins said neither is a new appearance to be invented for the building. Chair Plaag said we are not proposing to invent a new appearance, but asking that the known elements that survive be restored to the extent possible, as outlined in Appendix D, Section 1.4. Member Watkins said he would argue that the brick cannot be repaired. He said the second-story level of the building is not going to look like it would have in its original state, regardless of what happens to the first-floor level. Chair Plaag asked Member Watkins to point out the evidence either in the meeting packet, or that was presented by witnesses that confirms what he said regarding the building. Member Watkins said in his view, he thought that about 98 percent of the original surface of the brick had deteriorated, and sealing it would be unusual.

Chair Plaag told Member Watkins that if he felt strongly that the brick on the second-floor level could not be repaired, then Member Watkins had the right to propose a finding of fact based on the evidence presented in this case by witnesses or from the meeting packet. Chair Plaag reminded the HPC that they are supposed to consider only competent material and substantial evidence when making findings of fact.

Member Watkins made a motion that a visual inspection from the street level of the second-floor brick on the building reveals that the brick is almost entirely defaced by spalling.

Discussion ensued on the content of the motion. Chair Plaag asked Member Watkins who was making the visual inspection; Member Watkins replied himself or anyone. Chair Plaag told Member Watkins that he did not believe that he was able to testify to the visual inspection in the case. Member Watkins said he felt competent to stand on the ground and look at the brick.

Chair Plaag said he recalled Mr. Lindsey testifying that it was his initial recommendation to remove the stucco and seal the brick. He continued that Mr. Lindsey only changed his mind when he learned about the Howard Street project. Mr. Lindsey said nothing about the brick's structure or viability, but that aesthetically, he thought that re-stuccoing it would be more in line with the proposed Howard Street project. Mr. Deal recollected that Mr. Lindsey said more than Chair Plaag recalled.

Chair Plaag asked Member Watkins if he had anything to add to his original motion, or if he could restate his motion. Member Watkins restated his motion that viewed from the street, the second-floor brick on the building appears to be almost entirely spalled, and sealing the brick would not result in an appearance that would convey the impression of a historic building. Chair Plaag asked Member Watkins if there was any specific evidence he wanted to refer to other than personal observation. Member Watkins explained that he was offering his information as a member of the HPC and was not testifying on behalf of anyone or advocating for any particular outcome. He said he was stating that the material that survives on the building is not in its original form for the most part.

Vice-Chair Bond asked if there was a way that the applicant could try to seal the brick, and if it did not work, the applicant could use the stucco. Member Watkins pointed out that he was not arguing that the brick cannot be sealed, as it is his opinion that it can be sealed. He explained that a sealed and spalled brick would not look like the brick on the building when it was originally constructed and would not look like an aged surface. He said it would look like a sealed and spalled brick.

Chair Plaag called a vote of Member Watkins's motion on the finding of fact.

Vote:

Aye – (Watkins)

Nay – (Plaag)

Abstain – (Bond)

The motion failed.

Mr. Deal called Mr. Winkler to testify about Exhibits 12 and 13 included in the meeting packet that was submitted in response to the discussion held at the last HPC meeting. Mr. Deal asked Mr. Winkler if he had asked Mr. Brent Davis from Brent Davis Architecture to prepare Exhibits 12 and 13 for submission for the HPC's consideration; Mr. Winkler said yes. Mr. Deal said that Mr. Winkler did not have comments regarding the exhibits, and Mr. Winkler felt the exhibits were self-explanatory. Chair Plaag asked if there were any objections from Mr. Winkler or the Town staff to accepting the said exhibits into the record. Chair Plaag accepted the said exhibits into the record hearing no objections.

Chair Plaag asked about the board and batten material being proposed on the first-floor level and wanted to know if this material was acceptable in the fire district. Ms. Christy Turner, Senior Planner, responded that a Town building inspector stated the proposed material is acceptable in the fire district.

Chair Plaag noted that he wanted to review the muntin windows as shown in the 1950 image. Chair Plaag asked Mr. Deal if Mr. Winkler objected to him reviewing the windows; Mr. Deal said Mr. Winkler did not object. Chair Plaag pointed out in the 1950 image in the meeting packet, it appeared that on the second-floor, the window design was a six-over-six as opposed to the two over two design. He said Exhibit 13 shows the window design as a two over two. Chair Plaag suggested that the windows be changed to a six-over-six double-hung sash window instead of the two over two design. Chair Plaag asked Mr. Deal and Mr. Winkler if they had an objection to this proposed change. Mr. Deal asked Mr. Winkler about the window openings, and if the request to change the windows to six-over-six would work because there is no proposed change for the window openings. Mr. Winkler said he was finding it difficult to get some building materials at this time, but he would do the best he could to get the suggested windows. Chair Plaag pointed out that he only mentioned the proposed window change because Mr. Winkler previously said that because of the removal of the stucco around the window framing, there are now some gaps, and he thought he would probably have to replace the windows. Chair Plaag pointed out that Mr. Winkler is not obligated to replace the windows, it's encouraged, but the HPC cannot make Mr. Winkler replace the existing windows as part of this COA review. Chair Plaag said if Mr. Winkler intends to use the current windows that he has, he thought the most difficult challenge would be to try to repair the wood framing, not vinyl, around the windows to make them look like they belong would be not ideal, but acceptable under the standards. Mr. Winkler said he would need to replace the gaps around the rotten window sills where needed.

Chair Plaag asked if the proposed design that was submitted is approved, how long would Mr. Winkler have to wait to come back to ask about the windows for the building, if necessary. Ms. Turner said the COA is good for one year. Ms. Shook asked to clarify Chair Plaag's question, in which he reiterated if the HPC approved the building design, if Mr. Winkler would have a year if replacing the windows to be six-over-six. Ms. Shook and Ms. Turner replied yes. Chair Plaag noted that the one year would give Mr. Winkler some time to assess the best options for the windows and to order them.

Chair Plaag asked if there were questions regarding the proposed design of the building. Mr. Winkler asked how he was to move forward with the exterior repair of the building. Chair Plaag said the possible approval of the proposed design in the meeting packet would include removing the remaining stucco from the south and east elevation second-floor. He strongly encouraged Mr. Winkler to contact Ms. Jennifer Cathey, a restoration specialist from the State Historic Preservation Office (SHPO), to locate an expert to assess and ensure the brick is viable before the brick is sealed. He said that Ms. Cathey could recommend a list of people who have done successful renovations and follows the NPS guidelines. Chair Plaag noted that if there is no way to save the brick, we will need to discuss the best source of action relating to the second-floor elements. He said that there is a disagreement among some of the HPC members on what the solution is for it. He suggested placing a condition, if it is acceptable to Mr. Winkler, that if he gets into doing the work proposed by the HPC, and the work cannot be completed based upon an analysis by a restoration specialist who has experience working with historic brick, and it requires that the applicant come back to the HPC to discuss the next best solution, it would not be recorded as a new case but a reopening of this case with no additional fee. Ms. Shook said there are costs associated with

meeting notices. She said she would check with the Town Attorney on the legal requirements. He suggested the HPC could possibly say that within the one year of the COA approval, if that discovery is made, the applicant has the option to come back under the original application for reconsideration, but if it is beyond that date, it would require a new application.

Mr. Winkler asked if he was required to put the awning up before his tenant could occupy the building. Mr. Deal asked the HPC if it would be acceptable for Mr. Winkler to wait to put the awning up until after he had confirmed whether or not the brick could be restored and properly sealed. Chair Plaag said the awning being installed is not an occupancy requirement. He asked Ms. Shook if there was any reason the awning could not be put up while the COA was pending. Ms. Shook said a separate building permit would need to be applied for, paid for, and issued before the awning could be installed. Mr. Deal said he thought a building permit had already been issued for the awning.

Member Watkins pointed out that he could not support the proposal to approve this case. He said there is an established period of significance for the historic district, and the HPC has tried to preserve what is related to that period which is good. He said that when we start adding conjectural elements to unknown facades, we back-date elements to conform to that period, he did not think that was practicing good historic preservation. He said given that there is a known appearance to a building, the applicant applied initially to restore the building to that known appearance. He further stated given there is no understanding of its earlier historic appearance, he thought it was inappropriate to begin adding conjectural elements like awnings that appear on buildings on King Street. Chair Plaag asked Member Watkins to point to a standard that supports his perspective. Member Watkins said he could not point to a standard, but he thought there were various theories of historic preservation that support it. He concluded with he did not believe it was appropriate to pick and choose elements to try to get the appearance of a building to conform to an arbitrary period in time.

Chair Plaag said that the HPC has agreed that the historic exterior elements of the first-floor no longer survive. He said the HPC is aware that there were one or maybe two openings, and there may have been an extension of the original brick along the far outside edges of the first-floor elevation. He said the HPC does not know much about the building beyond these things. He said the standard to apply to this is when the storefront cannot be saved, retaining the commercial character with a contemporary design compatible with surviving and surrounding buildings. He said the proposed cable-hung awning, board and batten wood elements, and the windows already on the building are all elements of a contemporary design compatible with the historic district. He stated these elements are not conjectural elements to make it look like it was there when the building was built. He said this is not what the applicant had proposed to do with the first-floor level. He explained that the applicant was trying to meet the standard by proposing a storefront that retains the commercial character of the building, using a contemporary design that is compatible with surviving and surrounding buildings with what is required of the historic district. He said the first-floor level is being treated as if it were new construction, and awnings are permitted on new construction. He reiterated the HPC is taking conflicting standards to come to an agreement. He thought the proposed design the applicant presented had a contemporary look, and it doesn't look like something from the period of significance, yet it is compatible with the materials that would have appeared during the period of significance. He said that he disagreed with Member Watkins on the points he stated earlier for these reasons.

Member Watkins said that the discussion was suggesting taking historical elements, combining them, and applying them to a building on which they never existed in the past. He said the building would look like a historic building, but it would not be a historic building. He said the building with stucco on it conforms with any number of buildings that surround it that are also stucco. Chair Plaag asked Member Watkins if he could point to the standards in the historic district that affirm his argument. Member Watkins said he would apply the NPS and the Secretary of the Interior Standards for Rehabilitation to his argument. Member Watkins read from the Standards for Restoration, Item 7:

Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.

He said that because of this standard, the awning and board and batten material should not be used in the proposed building design.

Vice-Chair Bond said she did not see the point of the argument regarding the proposed building design. She said that all of Howard Street should look compatible and have the same feel and ambiance of the 1950s and 1960s that is being proposed and is historically appropriate in the Howard Street Project. She expressed that a whole new street, with the previous COA case of the Café Portofino project and the current project, being proposed would work together with King Street, Rivers Street, and Howard Street to make for the time period that was significantly important for the creation of Downtown Boone. She suggested that the HPC focus be on tweaking the windows, and figuring out the best solution for the brick issue.

Discussion ensued on the proposed conditions for this case. Chair Plaag explained that connecting the cables to the awning would be through the mortar, and an awning installer would know how to do this process correctly.

Chair Plaag discussed conjectural features as the medallions on the second-floor. Chair Plaag explained that the HPC is treating the second-floor as a surviving historical element, and the medallions are not a historic element. It was referenced to the packet page 69 of the August 30, 2022, meeting packet, where a design was provided with the mentioned medallions. Chair Plaag, Vice-Chair Bond, and Member Watkins agreed that one condition would be that the medallions on the second-floor level could be eliminated. The applicant accepted that condition.

Chair Plaag asked the applicant if they agreed to the condition of the awning attached through the mortar. Mr. Deal stated that he was not sure how large the attachment was to fit in the mortar area. Chair Plaag explained that a plate with a hook is what the cable is secured with, and then a bolt goes through the mortar. Chair Plaag and Mr. Deal discussed that the bolt goes through the mortar, and the plate can cover the brick. Mr. Winkler and Mr. Deal showed concern for the condition of the mortar because he did not know the condition of the mortar to hold the cable-hung awning. Chair Plaag pointed out that the historic standards state that if the brick has to be repointed, the new mortar has to be of a similar mix and color. Ms. Shook confirmed that the applicant has current permits in the Planning and Inspections office, not for the restaurant but for the façade renovations. She continued that the order in which those are completed has no bearing on occupancy requirements for the restaurant. She stated the work could be completed in the order needed. Chair Plaag confirmed with the applicant that the ramps and walkways would not be modified; Mr. Deal confirmed that statement was correct.

Chair Plaag restated that the conditions include the removal of the medallions, and the cables for the cable-hung awning will be installed with the plate covering the brick and the bolt going through the mortar, additionally if the mortar is to be repointed to follow the standards for the historic district.

Chair Plaag discussed that removing the stucco will be for the visible portions of the second-floor south and east elevations. Mr. Deal clarified the recommendations for removing the stucco on the east side elevation. He continued that the recommendation is to remove stucco on the east and Howard Street facing sides, and it is believed that brick is under the stucco. Mr. Winkler stated he was not interested in removing the stucco currently there as it is not an issue. Chair Plaag explained that based on the photographs presented, it suggests that the stucco on the east side was presumably done at the same time as the stucco on the south side. Mr. Winkler said he would not know what to do until he could examine the brick. Chair Plaag suggested a condition for this specific topic that in addition to proposed work for the south elevation, the stucco visible on the second-floor of the east elevation is to be evaluated, and if it is in the same condition as the south elevation has suffered from, that stucco is to be removed, and the brick is to be repaired, and sealed in the same manner as the south elevation. Mr. Winkler agreed to this condition. Chair Plaag expressed that this work would benefit the applicant in protecting the building in the long term.

Chair Plaag continued to explain another condition, which includes if the applicant consults an experienced historic preservation specialist who has done work for historic brick and damaged historic brick, who evaluates the second-floor south and east elevations, and it is found that those elevations cannot be repaired or preserved, the applicant is permitted to come back to the HPC within one year without filing a new COA application to discuss alternative remedies. Chair Plaag explained that this condition might need assistance from the Town Attorney. Mr. Deal expressed that this condition could be subject to the approval of the Town Attorney. Ms. Shook clarified that this discussion was sufficient.

Chair Plaag continued with the final condition based on the previous discussion during this meeting regarding windows. He stated that if the second-floor windows are replaced, they are to be a wood, six-over-six, double-hung sash window. He further noted that the condition also includes if the windows are or not replaced, then the trim should be replaced with wood elements and not with vinyl. Chair Plaag explained that wood was used during the period of significance. The applicant agreed to this condition.

Chair Plaag expressed that Ms. Turner is to provide the applicant with the contact information of Jennifer Cathey.

Chair Plaag mentioned the standard set of conditions for COA cases and asked the applicant if there was any objection to those standard conditions that apply; the applicant replied that there were no objections to the standard conditions.

Conditions of Approval:

The following conditions are automatically included and a part of any approval:

- Where there is a conflict between the application information and the plans (May 25, 2022), 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 to 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, detail 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.

The Commission may issue approval subject to reasonable conditions necessary to carry out the purposes served by the historic district (see G.S. 160D-940, 160D-947(a)):

The HPC recommended the following conditions for approval:

- The cable for the cable-hung awning will be installed with the plate covering the brick and the bolt going through the mortar. If the mortar is to be repointed, the applicant must follow the standards for the historic district of the new mortar being of a similar mix and color.
- The medallions on the second floor, shown in the applicant's proposed design, shall not be included in the façade of the building.
- The existing stucco will be removed on the visible portions of the second-floor south and east elevations. In addition to the proposed work for the south elevation, the applicant will have the stucco of the visible portion of the second-floor east elevation evaluated, and if it is in the same condition as the south elevation has suffered from, the applicant will remove that stucco, and repair and seal the brick in the same manner as the south elevation.

- If the applicant consults an experienced historic preservation specialist who has done work for historic brick and damaged historic brick, who evaluates the second-floor south and east elevations, and it is found that those elevations cannot be repaired or preserved, the applicant is permitted to come back to the HPC within one year without filing a new COA application to discuss alternative remedies. This condition is subject to the approval of the Town Attorney.
- If the applicant replaces the windows on the second-floor level, they are to be a wood, six-over-six, double-hung sash window. If they are or not replaced, then the trim should be replaced with wood elements and not with vinyl.

Chair Plaag made a motion, seconded by Vice-Chair Bond, to recommend approval of the design described on meeting packet for August 30, 2022, packet pages 67 through 69, with the additional conditions discussed and agreed upon and listed above, including the three standard conditions.

Vote:

Aye – (Bond, Plaag)

Nay – (Watkins)

The motion passed.

Chair Plaag closed this case.

Other Discussion

Chair Plaag announced that the next HPC advisory meeting is on September 6, 2022, at 3 p.m. He noted that September 13, 2022, quasi-judicial meeting had been canceled because no cases had been submitted for review.

Adjournment

Vice-Chair Bond made a motion, seconded by Member Watkins, to adjourn the meeting at 5:39 p.m.

Vote:

Aye – All

Nay – None

The motion passed.

Eric Plaag, Chair

Marlene Crosby, Board Secretary

**TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
SEPTEMBER 6, 2022, 3:00 p.m.
WebEx Video Conferencing**

Historic Preservation Commission Members in Attendance:

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

Council Liaisons: Virginia Roseman

Town Staff in Attendance:

Jane Shook-Director of Planning & Inspections, Jessica Mitchell-Long-Range/Special Projects Planner, Christy Turner-Senior Planner, and Marlene Crosby-Board Secretary

Others in Attendance: Amy Davis-Interim Town Manager, Ms. Paige Henderson-Downtown Boone Development Coordinator, Mark Freed-Director of Cultural Resources, and JC Feimster

Call to Order

Chair Eric Plaag called the Boone Historic Preservation Commission meeting, held via WebEx, to order at 3:00 pm.

Adoption of Agenda

Chair Plaag suggested moving the Boone 150 Projects and Historic District Promotion topics after adopting the Agenda. Vice-Chair Bond made a motion, seconded by Member Watkins, to amend the Agenda as suggested by Chair Plaag.

Vote: Aye – All

Nay – None

The motion passed.

Chair Plaag introduced Ms. Paige Henderson, recently hired as the Town of Boone's Downtown Boone Development Coordinator. Ms. Henderson introduced herself and stated she previously worked in Tryon, North Carolina, as a Main Street Program Director. She is from Avery County, North Carolina. She achieved her master's degree from Appalachian State University. She said her role as the DBDA Coordinator includes being the Main Street Program administrator and working with Downtown businesses. She continued that the DBDA role includes working with business on façade incentive grants, helping with Downtown development and events, and building renovations and rehabilitation with the State Historic Preservation Office (SHPO) in the grant process. She considers her role was more economic development based. She is excited to have a chance to work on things in the Downtown area that will last and impact generations.

Chair Plaag thanked Ms. Henderson for reminding the HPC that the façade incentive grants are available to Downtown business owners for appropriate façade renovation, if their business is located within the Municipal Service District. He suggested to Planning Staff to remind applicants, when applying for a Certificate of Appropriateness (COA), that this type of grant is available. Ms. Henderson confirmed that this grant is for up to \$5,000 for matching.

Chair Plaag introduced a new HPC member, Mr. James Sharp. Member Sharp said he moved to Boone, North Carolina, from Dallas-Fort Worth, Texas. He is currently working at Appalachian State University. He worked in the private sector of planning and architectural design. In Dallas, he served as a co-chair for one of Dallas's tax increment financing districts, the board of the United Way, and served on the city's

housing finance committee; he also volunteered for a neighborhood conservation coalition district. He continued that as an urban planner and an interest in architecture, he sees the preservation of our built environment and how it shapes our communities today and our health, financial health, and economic health.

Boone 150 Update

Mr. Mark Freed, Cultural Resources Director, talked about upcoming Boone 150 events including the "Boone Reads Program," and the next one is scheduled at the Watauga County Library on Saturday, September 10, 2022, at 10 am. He said that Junaluska Heritage Association members, Ms. Roberta Jackson and Dr. Sue Keefe would be at this event to talk about the Junaluska Oral History Book. He announced the "Boone Summit" is scheduled for Wednesday, October 26, 2022, at 7 pm at the Appalachian Theatre, a free event. He continued that speakers will discuss Daniel Boone and his connections to the Boone area. He also mentioned the "Boone Cemetery Tours" will continue to be organized and advertised. He said that in January of 2023, they would wrap up the Boone 150 events. Chair Plaag confirmed with Mr. Freed that a meeting is scheduled on September 12, 2022, at 2 pm to discuss the Cemetery Tours. Mr. Freed noted that after the September 12 meeting, hopefully, they will have the promotional material ready to publish regarding the cemetery tours. He said he would inform the HPC of the promotional material's status.

Historic District Promotion

Ms. Henderson said that she and Ms. Jessica Mitchell, Long Range/Special Projects Planner, had discussed ideas to promote the historic district and to help the Downtown business owners understand and the benefits of being in a historic district, resources available, and the process of a Certificate of Appropriateness (COA). She mentioned that the idea is for material to be available digitally, and the materials would be for current and new businesses. She continued that the material would also include businesses' responsibilities and the Town's responsibilities of being in the historic district.

Discussion ensued on Wayfinding Signage. Chair Plaag asked about the recent signage directing people to the Blue Ridge Parkway and Historic Boone. Ms. Mitchell said this signage project was through a partnership with the Watauga Tourist Development Association (WTDA). Ms. Mitchell said this was an excellent opportunity for advertising the Downtown area and the historic district, and then later determine if additional signage should be added for the historic district.

Chair Plaag strongly supported the Staff inquiring of the North Carolina Department of Transportation (NCDOT) about the brown cultural marker signs. He suggested that one of these signs be placed at or near the intersection of Hardin Street and Blowing Rock Road and King Street headed northbound to let people know to turn there to go into Historic Boone. He also suggested that these signs be placed on the western edge of Downtown Boone and a few other places where they might be useful.

Chair Plaag asked the Staff if they knew what happened to the brown cultural marker signs that used to point to the Horn in the West. He noted that the person in charge at the Horn in the West was concerned and upset over the missing sign. He suggested that Staff ask NCDOT about this missing sign when inquiring about the other brown cultural marker signs. Ms. Jane Shook, Director of Planning and Inspections, pointed out that Ms. Mitchell had found out from NCDOT that because the Town of Boone was a local historic district and was not at a State or National status, it did not qualify for one of the brown cultural marker signs. Ms. Mitchell confirmed and said she could inquire about the signs again, especially with Chair Plaag's concern regarding the missing sign. Chair Plaag suggested that Staff contact Ms. Kristi

Brantley at the State Historic Preservation Commission (SHPO) and confirm with her that local historic districts do not qualify for the brown cultural marker signs.

Ms. Christy Turner, Senior Planner, said that when she meets with applicants, she informs them of the Façade Incentive Grant Program and refers them to Ms. Henderson. Ms. Henderson stated that an application could be submitted to the UNCG-School of Design through the North Carolina Main Street Program to get free design services for a façade renovation. She said she had seen some interest in this application, and those applications are being prepared to be submitted in the fall. She explained the process working with UNCG, which the applicant includes photos and a request of what they are proposed to do with their facade. She said a UNCG School of Design student donates their time to prepare a complete design free of cost that the applicant can use for their proposed façade. She also mentioned that it is according to SHPO standards through the Main Street program. Chair Plaag asked Ms. Henderson if she would like to schedule time at another HPC meeting to discuss strategies for the said promotion. She said she would prepare a strategy in the next few weeks and would like to attend another HPC meeting to go over that strategy.

Ms. Henderson and Mr. Freed left the meeting at approximately 3:30 pm.

Approval of Minutes

Chair Plaag said that due to the volume of draft meeting minutes presented for approval, he suggested that the HPC table the August 9 and August 15, 2022 meeting minutes until their next meeting.

Chair Plaag reviewed the July 12, 2022, meeting minutes. He pointed out the following proposed change:

- Page 3, second paragraph change the last sentence change: "Mr. Gaston said that is correct" to "Mr. Gaston said that as the plans are currently drawn, there would not be pedestrian access"
- Page 5, first paragraph, fifth sentence change: "juridical" to "judicial"
- Page 7, third paragraph, fourth and sixth sentence change: "gabled, hippped" to "gabled or hippped"
- Page 8, first paragraph, third sentence change: "coins" to "quoins"
- Page 8, second paragraph, third sentence change: "having an open angle but used" to "being a vault type building that used"
- Page 8, second paragraph, fourth sentence change: "arches that were flat" to "arches that were not flat"
- Page 8, second paragraph, tenth sentence change: "is to use the stone pilasters" to "is not to use the stone pilasters"
- Page 8, second paragraph, eleventh sentence change: "lentils" to "lintels"

Motion and Vote:

Vice-Chair Bond made a motion, seconded by Member Sharp, to approve the amended July 12, 2022 meeting minutes.

Vote: Aye – All
Nay – None

The motion passed.

Chair Plaag began a discussion regarding a glossary or list of architectural terms that are likely to be used in HPC discussions to assist Staff. Ms. Mitchell stated this would be helpful to Staff, and Ms. Turner agreed.

Chair Plaag suggested HPC members email directly to Ms. Mitchell and Ms. Turner, and blind-copy HPC members. He suggested this to not violate open meetings laws. He mentioned the intention of this task would be to include architectural terms regarding buildings in Boone.

Chair Plaag also mentioned to Member Sharp that it is the Town's practice to allow a commission member not present at a meeting to make a motion and vote on the minutes.

Chair Plaag reviewed the July 26, 2022, meeting minutes. He pointed out the following proposed changes:

- Page 2, paragraph six, second sentence change: "false chimneys" to "false corner chimneys"
- Page 4, paragraph one, third sentence change: "across for the Trundle Hotel" to "across from the Trundle Hotel"
- Page 4, paragraph two, fifth sentence change: "recently raised the seam-type roof" to "recently installed raised seam-type roof"
- Page 4, paragraph two, tenth sentence change: "building" to "roof"
- Page 4, paragraph five, fourth sentence change: "roll lock header" to "rowlock or header sill"
- Page 5, paragraph eight, last sentence change: "roll lock header" to "rowlock or header sill"
- Page 6, paragraph four, third sentence change: "exterior walls of upper level" to "interior of the exterior walls of the upper level"
- Page 8, paragraph nine, fourth sentence change: "regarding the issues" to "in regard to the issues"
- Page 11, paragraph nine, fourth sentence change: "at the time" to "to that time"
- Page 11, paragraph ten, third sentence change: "he thought it was a concrete building" to "at that time he thought it was a concrete building"

Motion and Vote:

Vice-Chair Bond made a motion, seconded by Member Sharp, to approve July 26, 2022, meeting minutes as amended:

Vote: Aye – All

Nay – None

The motion passes.

Chair Plaag reviewed the August 2, 2022, meeting minutes. He pointed out the following proposed changes:

- Page 4, paragraph nine, eighth sentence change: "those elements could be discarded" to "those other elements, discussed earlier, could be discarded"
- Page 5, paragraph five: "structural integrity" to "structural integrity in mind"
- Page 5, paragraph nine, last sentence change: "expensive" to "inexpensive"
- Page 6, paragraph two, first sentence change: "property on a National Register" to "moved property on the National Register"
- Page 7, paragraph three, fifth sentence change: "resume and that" to "resume that"
- Page 7, paragraph seven, add to the end of the first sentence: "of the Watauga County Public Library supervised by Digital Watauga"
- Page 7, paragraph seven, add to the beginning of the second sentence: "For the landmark reports,"
- Page 7, paragraph eight, add to the end of that sentence: "on the photography project"
- Page 9, paragraph nine, second sentence change: "arrival" to "appearance"

Motion and Vote:

Vice-Chair Bond made a motion, seconded by Member Sharp, to approve August 2, 2022, meeting minutes as amended:

Vote: Aye – All
Nay – None

The motion passes.

Ms. Mitchell reminded the HPC that at the next HPC Advisory meeting, the HPC would have draft meeting minutes to approve from August 9, August 15, August 30, and September 6, 2022.

Public Comment

No individuals requested the opportunity to speak during public comment.

Watauga County Jail Local Landmark Designation

Chair Plaag began discussing the topic and noted he thought there was a misunderstanding regarding the Basic Local Landmark Designation Process flowchart, which can be addressed later in this meeting.

Ms. Mitchell talked about the response from SHPO regarding the submittal for the landmark designation of the Watauga County Jail. She said the SHPO's review was completed within the 30-day window. She said Staff felt that the greatest concern from the review was the comments that SHPO made on the façade of the building. She said the Staff would like feedback from the HPC on the response from SHPO.

Chair Plaag read the comments in the meeting packet by Architectural Survey Coordinator, Ms. Beth King. He pointed out that the HPC was not recommending this property for landmark designation based on its architecture, but on its association with patterns of history. He said this information was overlooked in the review of the designation report. He explained a different standard discussed at length in the National Register guiding bulletins between properties nominated for their architecture significance under Criterion C and properties nominated under Criterion A or B.

Chair Plaag pointed out that Ms. King may have potentially an argument in terms of the building's ability to communicate its association with its period of significance about the interior of the building. He said the changes to the interior of the building are not dramatic. He said the jailhouse elements are missing from the interior of the building, there are no bars on the windows, and we do not see other elements of the jail infrastructure in the building. He said that the interiors of buildings are not considered with local landmark designation, unless the owner explicitly requests the interior be designated. He further stated the significance of the building is considered based on the exterior appearance of the building. He noted that the Boone Post Office's interior was considered part of its designation because the Town wanted the lobby designated as well. He said that any discussion of missing jailhouse elements is irrelevant and should be removed from this discussion because we are not asking for interior designation.

Chair Plaag talked about the exterior of the building; he said historically, the building had a porch, from very early in its period of significance, which has not changed. He said the design of the porch has changed, and many of the things on the porch are reversible. He said there are sufficient historical images to show the more craftsman-style porch that was originally, or at least during the period of significance, on this building. He said if the owners were inclined to go back, they could accomplish that relatively easily. He thought no other exterior elements had been removed or disturbed to impact the building's ability to convey its historical significance. He said he included this information in the designation report that was submitted to SHPO for their review, but it was mentioned in the response from SHPO.

Vice-Chair Bond shared her thoughts on the Watauga County Jail House. She said the jail house is one of the anchors of the Howard Street Project. She said it was important to the Town to have this building recognized as historically significant.

Chair Plaag referred to and read comments made in the SHPO letter dated August 20, 2022, from Ms. Kristi Brantley, which stated the comments are “advisory only” and “non-binding.” He explained that the process for local landmark designation is to get feedback from the SHPO. He said if they have concerns about the property's eligibility, those concerns are not binding upon the Town. He felt this is where the misunderstanding about the said flow chart occurred.

Discussion ensued on the flow chart. Chair Plaag referred to the flowchart in the meeting packet and read the item, “Does the report establish the property's historical significance and fully account for its condition/degree of integrity?” He said the report establishes the significance, condition, and degree of integrity. He said the HPC has a difference of opinion with the SHPO, and, specifically with Ms. King, about the integrity level. He said that from this point, the HPC could, or could not, recommend landmark designation after receiving feedback from the SHPO. He concluded that it is then up to the Council to know that there is simply a disagreement in the interpretation of the SHPO, which seems to be applying national registry standards, to a local historic landmark request, and they are not the same standards.

Member Sharp asked if there are landmarks at the Town, County, or Regional scale where comparable efforts have been successful that could be presented to Council to help carry the landmark designation through, even with contradictory feedback from the SHPO. Chair Plaag explained that in the Town, the landmarks designated are the Downtown Boone Post Office, the Linney House and the Linney Law Office, and the Blue Ridge Tourist Court. He noted that these were approved without objection from SHPO. He further noted that the Blue Ridge Tourist Court motel and its related buildings were added as landmarks, and at that time, they did not retain their original appearance. He said that roof lines are important on the National Registry. He said the annex, the tourist court, and the motel all had hats that helped with the water intrusion at the property, and those hats were still there. He said the owner intended to remove the hats, but that had not been done when the landmark designation was made and encouraged without objection by the SHPO. He said he thought Ms. King's question was interesting regarding the owner being open to removing or correcting the porch. He suggested Staff could contact the owner and ask if they were open to correcting the porch. He said it is not binding and not required to remove that element to secure a landmark designation. He said he did not feel good about that being the standard by which we evaluate whether this is appropriate or not. He said the better way to evaluate it by is whether what has been done reversible. He stated that with this case, he said the answer is yes, it is reversible, and possible to restore this porch's original appearance at some later date.

Chair Plaag said that on a regional level, he does not know of another original jailhouse building that survives in any of our Northwest North Carolina counties, with the possible exception of Wilkes County. He explained that it is not known if it is considered or designated as a local landmark for Wilkes County, and it would be a surviving building at the rear of the Fields Courthouse.

Ms. Mitchell clarified that in talking with Staff, she wanted to present this to the HPC based on the comments made by SHPO for HPC feedback, prior to contacting the owner. She stated that Staff is aware that the porch on the building is used for the owners' restaurant operation. She explained that the conservation by the HPC clarified the landmark process.

Member Watkins said it is useful to remember that the exhibits stopped at Winston-Salem in the old North Carolina Museum of History, and did not represent areas further west. He said the only way in which the western part of the state was represented was through the subject of folk art. He said he felt that local landmark designation should be left up to the community because it knows best what is important. He thought the jail was remarkable, not so much for its alterations, but because it survived in complete a state as it has. He further stated he supports this building as a local landmark designation, whether the owner wants to correct the porch or not.

Motion and Vote:

Chair Plaag made a motion, seconded by Member Watkins, to recommend designation of the Watauga County Jail building, presently known as the Proper Restaurant and located on Burrell Street, as a local historic landmark, not only for the reasons listed in the report that was submitted to the State Historic Preservation Office (SHPO), but for the following reasons including:

- The building's association with patterns of history,
- The property being evaluated based on the exterior appearance and not the interior appearance, and as such, the missing jailhouse elements mentioned by SHPO are irrelevant to the decision,
- The building having no other exterior elements removed to impact the building's elements of significance
- Existing landmark properties within the Town of Boone being successfully accepted as landmarks with alterations to the properties,
- There are no other known and existing jail buildings regionally of such significance, and
- The building as a local landmark property would represent the western area of the state with a historic building.

Chair Plaag continued with the motion to request that Staff, upon presenting this to Council, will include the meeting minutes from September 6, 2022, or an accurate summary of the discussion by HPC members explaining our rationale.

Ms. Mitchell added discussion to the motion in which she explained that a map amendment is needed for a local landmark designation. She said the map amendment includes a public hearing process, which is generally a joint meeting with Town Council, Planning Commission, and in this case, the HPC. She continued that the next public hearing is scheduled for November 28, 2022. Chair Plaag requested that this case be the first on the public hearing agenda. Ms. Mitchell said the Staff would consider Chair Plaag's said request, and decide if that is possible depending on the other cases.

Chair Plaag asked Staff if, at this point in time, the property owners have been informed that their property has been considered for a landmark designation. He noted that it is good practice to have the property owners aware of the process, especially before the public hearing process. He requested that Staff contact the property owners to make sure they still favor the landmark designation. He also requested that Staff remind the property owners of the property tax abatement benefit that is available with a landmark designation. Ms. Mitchell said that based on the discussion at this meeting, the Staff would make it a priority to contact the property owners.

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

Chair Plaag reiterated that this motion recommends designation of the property as a local landmark and begins the process to schedule the case for a public hearing.

UDO Updates

Ms. Shook said the Staff is currently working on revising the signed ordinance to bring it into compliance with current legislative and case law. She explained that while working on it, she came across an issue where the direction Staff has been given in the past conflicts with a portion of Appendix D. She will present the issue to the Council when she presents to them the sign ordinance, and she stated this issue was not for the HPC to resolve at this meeting. She said the issue is specifically the frame signs or sandwich board signs. She pointed out that the DBDA has approached the Town in the past, stating their desire to have those types of signs. She said that in UDO Appendix D, Design Standards for Historic Streetscapes, Landscapes, Monuments, and Other Resources in the District, Section 8.1, this type of temporary signage is not encouraged. She also noted that in Appendix D Section 8.1, seating and sales are mentioned; she has talked with Ms. Allison Meade, Town Attorney, and Ms. Meade is checking into a possible concern about whether or not HPC has a regulatory authority on the sales portion on the sidewalk. Ms. Shook said she would let the HPC know the outcome from Ms. Meade on the sales topic, and she would forward any feedback of the HPC to Council on these topics. She said she wanted to present this information to Council and get their direction on how to proceed. She said that in the past, the Staff had been given authority to allow the sandwich boards with certain parameters, but it did not mean every business could have one. She said the Staff took suggestions from Council at the time, looked into best practices from other regulations for these signs, and drafted regulations for them. Chair Plaag asked Ms. Shook when the Staff reviewed regulations from other jurisdictions, if it included looking specifically at Downtown Historic Districts and how they handle these types of signs. She said that was included in the initial research; she said Staff would check to see before they send the revision to Council. He thought he included those comments in the standards because, at that time, that was the regulations for the Downtown area. He said things that come in after store hours, like a cashier stand, rack of clothes, or sandwich boards, would not normally be regulated in a historic district. He noted that the HPC would be concerned with reviewing something built out or permanent, like a deck, knee wall, or seating area.

Discussion ensued on COA, Conditional District, and Special Use Permit Cases. Ms. Shook talked about how staff has been discussing these topics of which process should be done first. She explained that the conditional district is the overall project approval. She said that in the recent process with the HPC's recently completed and approved COA cases, such as Café Portofino and the Watauga County Jail, those applicants completed the COA process and then applied for a conditional district process. She added that the applicants for Café Portofino first went through the variance process, then the COA case, and now starting the conditional district processes. She stated the question has been explored as to which process should be completed first, the COA or conditional district process. She explained that the conditional district process is the overall project approval for a site-specific plan. She explained that the COA covers the project's exterior and could include some exterior building elements. She said that Ms. Turner had seen language that states that if a rooftop addition is being done, the conditional district process has to be completed first before the COA process. Ms. Shook stated that it has been questioned if the conditional district process needs to occur before the COA, or if it involves a text amendment to change the language or leave it as it is. She said if the process is changed, the language will have to be modified for Staff to be consistent with the process for directing applicants with their proposed projects.

Chair Plaag asked Ms. Shook in his particular case, he serves on the HPC and the Planning Commission. He said our practice has been that he typically recuses himself when a case comes before the Planning

Commission that has been authored by the HPC, specifically a text amendment. He said he would like to see the reverse addressed if we require the conditional district process first and then the COA process. He said he wants to avoid any appearance of himself hearing anything that is said during the public hearing being construed for that particular case. Ms. Shook said she understood his concern and would consider it as we worked through this particular issue. She said she would let the HPC know the direction from the Town Attorney on this issue.

Certified Local Government (CLG) Application Status Update

Ms. Mitchell said that she submitted all of the documents to Ms. Kristi Brantley at SHPO on September 2, 2022, and she should have a response by October 17, 2022. She asked Ms. Brantley about the requirements after CLG status was reached. She replied that Ms. Brantley informed her that annual training would be required, and it could be through virtual options with free videos or attending conferences, depending on the Planning and Inspections budget.

Chair Plaag talked about the NC Historic Preservation listserv and urged the HPC members to sign up for the email listserv. He said the listserv is useful to see what other commissions in other areas are doing and how they handle those types of things through best practices. He said it would have been helpful to see what other commissions were doing while the HPC reviewed the Café Portofino COA case. He also talked about using the listserv platform for future HPC training sessions. He mentioned that he would like Staff to contact Ms. Brantley, and the network of Commissions represented, about training sessions as opportunities to learn from other commissions. He continued that these training sessions could include a number of topics with a free forum to openly learn from other Commissions' experiences. Ms. Mitchell said she would ask Ms. Brantley if that was an option for the training, or if there is one similar available.

Ms. Turner said she would provide the HPC members with the email address to subscribe to the said listserv.

Council's Store and Hayes-Bryan-Greene Cemetery Marker Update

Ms. Mitchell said the marker company is experiencing significant delays. She mentioned that if she did not announce it previously at the last HPC meeting, that unfortunately, the company said it would be six months. She said that the last time she checked on the markers, she confirmed that we should be getting an order confirmation sometime in September, and hopefully a copy of the proof of the marker. She said the marker company estimated we would receive both markers by October or November. The marker company said that we would probably receive the Council Store Historical marker first based on when the orders were submitted. She said she would follow up with the marker company on the markers.

Chair Plaag commented that it would be great as a final holiday Boone 150 gift to our community if we could unveil both markers at separate times but in the month of December.

Intern: Local Landmark Designation Reports/Digital Watauga Project

Ms. Mitchell explained that Ms. Ellie McCorkle, Part Time Intern for the Town of Boone, will work on local landmark designation reports. She said Ms. McCorkle would work first on the Rivers House and then the Jones House designation reports. She noted that Ms. McCorkle has started researching the Rivers House report, and is scheduled to visit the Rivers House to take photos documenting the interior of the Rivers House. Ms. Mitchell said she and Ms. Shook will be acting in a supervisory role for Ms. McCorkle, and will provide her with applicable resources and materials as she works on the designation reports. Chair Plaag noted that he had spoken with Ms. McCorkle and explained that he would happily answer questions on

either property on the designation reports. He also noted that he had provided Ms. McCorkle with some image surveys of the properties.

Chair Plaag asked that Ms. McCorkle also document 'Baby', which is a Champion sugar maple tree in North Carolina located up the hill and to the west of the Rivers House property.

Chair Plaag, as Chair of Digital Watauga, a partnership between the local historical society and the public library, he spoke on behalf of Digital Watauga and said the payment was received from the Town of Boone for Ms. McCorkle's hours for the Digital Watauga Project. He noted that Ms. McCorkle started work this week, and she will be doing all of the work on this project. He explained how employee operations work at Digital Watauga, in which Ms. McCorkle would not report hours worked for two weeks in December. He explained that every year the Digital Watauga employees have to stop work in December because they are temporary employees, but they begin work again in January.

Chair Plaag explained for Member Sharp the Digital Watauga project, and that the HPC, when reviewing a quasi-judicial case, is relying on historical images of the buildings in the historic district, or historical images of a landmark to evaluate what isn't appropriate on proposed work for a building of the district or a landmark. He said earlier this year; the HPC had discussed a project that the Town would fund and dedicate a technician to spending 500 hours in the first-year combing through the collections for all historical images of buildings in the historic district. He said this work would build a digital library for the Planning Department to use when they meet with the applicant because they would be able to present historic images to the applicant to help them with their COA process.

Member Sharp asked Chair Plaag what platform is used to catalog the historic images, and if it involves a tagging process or subfolders associated with the structures. Chair Plaag said that Digital Watauga is creating a digital library using sub-folders for the Planning and Inspections Department. He included that in addition to the subfolders of images, it will include a meta-data sheet with the state survey numbers of the properties as identification, a list of images and their dates if known, and a description of the image. He asked Ms. McCorkle to provide two images; he said one image would be a master image, and the other would be a cropped image of a building. He said this would be helpful when the meeting packets are being created because there will be a clearer view of that building. He said he has already talked with Ms. Shook about that after the digital library is established, the Staff would pull the images from their digital library to use during a hearing, so the full resolution of that image can be seen.

Project Updates by the HPC Members

Vice-Chair Bond informed the HPC members of the annual Watauga County Historical Society meeting to be held on Wednesday, September 7, 2022, at 5:30 pm at the Watauga County Public Library. Chair Plaag said that after a short business meeting, he will briefly review historic rehabilitation tax credits and how they work with property. Mr. Brian Williams and his wife Mira, property owners of Blue Ridge Tourist Court, will talk about their experience with their tax credit, historic landmark, and National Registry listing at their Blue Ridge Tourist Court project. Vice-Chair Bond suggested that Member Sharp attend this meeting to take advantage of the learning opportunity.

Boone Cemetery Tours

Chair Plaag said the various people who are giving tours are in the process of writing their scripts. He said there would be a meeting on September 12 to discuss the final details.

Downtown Boone Walking Tours Revisions with Watauga County Historical Society

Chair Plaag said the Watauga County Historical Society had created a sub-committee comprising Vice-Chair Bond, Mr. Ross Cooper, Mr. Ralph Lentz, Ms. Ellie McCorkle, and Chair Plaag, whom all have a background in walking tours. He said the sub-committee members would work on revising the walking tour for the Town. He said they are all meeting for the first time on September 14, 2022, at 4:30 pm at the Watauga County Public Library. He said they would figure out what must be done at this first meeting. Vice-Chair Bond encouraged other people to attend this meeting.

Boone Cemetery Interpretative Panels

Chair Plaag said he did not have the opportunity to complete the report on the interpretative panels. He said the information would need to be deferred to the HPC October meeting.

Stoneman's Raid Interpretative Panels

Chair Plaag said he did not have the opportunity to complete the report on the interpretative panels. He said the report would need to be deferred to the HPC October meeting.

Other Discussion

Ms. Turner gave an update on some Statement of Conformities that the Staff had recently issued. She said an HVAC unit was installed on the back of the old Eggers Law Office building that houses the Escape Room. She added that the HVAC unit was placed back far enough that it could not be seen from either direction.

Ms. Turner explained that at the Old Farmers Ski Shop building, now the Orvis store, the owner had started painting the building before the historic district was approved, and now they want to continue to paint the building. She said they applied for a Statement of Conformity to complete the painting of it.

Ms. Turner informed the HPC about some work that will be occurring near Mast General Store and the di Santi, Capula & Garrett law office building, on the wall owned by di Santi, Capula, and Garrett law office. She explained that Mast General Store has a brick fascia wall that has been falling down for years. She noted that Appendix D, 160-D-948 states that a building inspector can determine a public safety hazard. She said the wall work would start next week. She said that this week, the old damaged Bradford Pear tree in front of this wall would be taken down at 6 am on September 7, 2022, to get a crane in and out of this location before a lot of traffic starts coming through Town. She noted that this type of action in Appendix D would be considered repair and maintenance. Chair Plaag added that the brick wall was installed, in approximately 1963, against the west wall of the Mast General Store building to have uniformity between the two buildings. He stated that it has been an issue since 2014. Chair Plaag confirmed with Ms. Turner that any subsequent work to this building would require a COA. Ms. Turner said there might be a ghost sign behind the wall, and if there is, they will not do anything else to the building wall and will leave the ghost sign. It was discussed that the wall that might have a ghost sign is owned by Mast General Store.

Ms. Turner pointed out that the windows in the front of the di Santi, Capula, and Garrett law office building are coming out because of how the brick was put on the building. She said a COA would be needed to replace anything. She said the same company that did the re-mortaring on the Farmers Hardware building would be doing the work on the Mast General Store wall. Chair Plaag said his recollection of the image of the Mast General Store wall is that the ghost sign covers the wall in its entirety. He said the HPC does like to see ghost signs restored when possible. Ms. Turner said the work on the wall is supposed to start on September 17, 2022.

Chair Plaag asked the Staff if they had received information from the Public Works department about the product used to clean the headstones at the Boone Cemetery. Ms. Shook said that she had received information and pointed out that the product used would not be a product that the HPC would approve, as it contained bleach. Chair Plaag asked Ms. Shook to forward that information to the HPC. Ms. Shook noted that this lesson was learned, and the Public Works department is aware of it.

Chair Plaag said that previously the HPC had talked about providing some guidance for the Town and the Public Works staff on communicating with the HPC on proposed work on landmarks, Town properties within the district, and potential historic properties. He said he wanted to make sure that is on the HPC's work plan to schedule a discussion in an HPC meeting about how we can work better. Ms. Shook responded that the conversation was continued after that meeting with the Planning Staff, Public Works Staff, the Town Attorney, and the Interim Town Manager. She said that the Staff needed more time to discuss the details for the meeting and would like to place this topic on the next HPC advisory agenda. She said there is a possibility that we could have a joint meeting with Council to discuss the said topic.

Member Watkins suggested that the Staff use the glossary of architectural terms in the Architectural History of Watauga County book. Chair Plaag said he had other similar types of work he could look at to make a list of terms. He said he asked for the other HPC members to help him with the list of terms so that he does not overlook any terms that might be useful to help the Planning Staff.

Adjournment

Vice-Chair Bond made a motion, seconded by Member Watkins, to adjourn the meeting at 5:21 pm.

Vote:

Aye – All

Nay – None

The motion passed.

Eric Plaag, Chair

Marlene Crosby, Board Secretary

Draft Text for the Boone Cemetery Interpretive Panels
Eric Plaag
September 29, 2022

Panel #1: Boone Cemetery

You are standing on land historically associated with the Council family and once owned by Benjamin Council, Sr. (1795-1877). Local tradition sometimes suggests that Jacob Mast Council (1830-1865) was the first burial here following his death at the hands of Union soldiers during Stoneman's Raid, but substantial evidence suggests that burials occurred here long before Council's death, perhaps for several decades. Several nearby headstones point to earlier interments, even if the markers came later.

By the 1880s, local custom viewed the cemetery as the town cemetery, even though it remained on privately owned land, and from an early date, neglect and poor maintenance of the cemetery—which had no provisions for perpetual care—were a recurring problem. From its establishment, the cemetery was also racially segregated. The vast majority of the grave markers that you will see are located in this western section of the cemetery, which was exclusively reserved for White burials. The eastern section of the cemetery was also used from the antebellum period, primarily for Black people, many of whom were enslaved by the Council family. Following the Civil War, this section continued to be used by Black residents of Boone up until the 1950s, when a new cemetery for Blacks was established by local officials at the western edge of town.

At the request of the last surviving trustee of the private organization that owned the cemetery, the Town of Boone in 2015 acquired the entire cemetery—Black and White sections—to provide for its long-term preservation. Since then, the Town has invested in significant upgrades to the cemetery, including installation of the new perimeter fence and a retaining wall at the east end of the cemetery to prevent erosion, extensive cleanup of the grounds, cleaning and resetting of stones, and various forms of historical interpretation. While occasional burials still occur here, they are limited to members of the families already included here and require Town approval.

You can use the QR code on this sign to locate specific burials. Local burial traditions, common to much of the United States, oriented gravesites to the east of the main grave marker, even if the text of that grave marker faces toward the west. Many of the graves here also feature a footstone, usually a smaller marker that often includes the initials of the deceased. Cornerstones, often bearing a single initial representing the surname of the family whose plot is marked by the stone, are also present throughout the cemetery.

Panel #2: How to Use the Boone Cemetery

[Located adjacent to Panel #1] The Boone Cemetery contains the graves of many people, Black and White, associated with the founding and early history of Boone. As such, it is considered a sacred space within the Town deserving of appropriate respect. For families and friends of those buried here, inappropriate behavior in the cemetery can be deeply offensive and upsetting. It can also cause physical harm to you or others, as well as the grave markers. We ask that you bear the following in mind as you wander through the cemetery.

- By state and local ordinance, the Boone Cemetery is open to the public only from dawn until dusk. Those in the cemetery without Town permission outside of these hours will be treated as trespassers and prosecuted accordingly.
- Please do NOT touch, lean on, or sit on ANY of the stones that you see in the cemetery. Not only is doing so disrespectful, but many stones are loose and fragile, and your weight against them can dislodge them or—worse—injure you in the process.
- Do NOT, under any circumstances, attempt to clean, do “rubblings,” or otherwise make contact with any grave marker. Your activity can cause severe damage or destruction, even if it’s “just once” or something you’ve done before. Think of this as a kind of art museum; many of the grave markers here are indeed works of art.
- Please do not remove ANYTHING that you find on a gravesite, including flowers, flags, rocks, coins, or other tributes that have been left by loved ones.
- The Boone Cemetery is more crowded than many cemeteries, and it is often difficult to know how to pass through the cemetery. Generally speaking, it is disrespectful to stand on a burial plot. To the extent that it is possible, always try to walk between headstones and near the foot-end of any burial site (remember: graves are oriented to the east of the main headstone). Keep in mind that the ground is very uneven, so be sure to look where you are walking.
- Children should never be allowed to roam freely in a cemetery and require close supervision. Some headstones can topple or shift if they are touched, seriously injuring folks standing or playing nearby. The Boone Cemetery also remains a place for quiet reflection, and children running through, playing in, or making noise in the cemetery can be both disruptive and upsetting to those who are mourning or paying respects to their loved ones.
- Adults can be good models for their children by speaking softly and politely while in the cemetery, as well as silencing their cell phones. If you encounter mourners, a funeral service, or folks paying respects, be respectful and give them plenty of space.
- The Boone Cemetery is not a place to walk your dog, have a picnic, have a party, sunbathe, rock out, play disc golf, or generally engage in entertainments. While the open grassy area of the eastern half of the cemetery may be tempting, bear in mind that it contains nearly 200 graves, the vast majority of them unmarked by traditional headstones. Just because there’s no stone, that doesn’t mean there’s only dirt beneath your feet.

- If you generate trash while visiting the cemetery, take it with you when you leave. That includes your cigarette butts.

Panel #3: A Divided Cemetery

This panel sits at the approximate location of the line that once divided the Black section of the cemetery to the east from the White section to the west. The origins of this racial segregation of burials likely date to the original Council family burial practices. Local tradition holds that people enslaved by the Council family were buried in the eastern section, while Council family members were buried at the crest of the hill to the west. Such a racial division was common in southern burial practices during the antebellum period.

Slavery may have formally ended in 1865, but racial segregation did not. Throughout the late nineteenth and much of the twentieth century, the eastern section of this cemetery was referred to in local press and official records as the “Colored Cemetery,” while the western section was usually referred to as the “City Cemetery.” As you can see from the mid-twentieth century plat on this panel, deed records for the two sections were also separate, with White trustees exercising control over the western section but generally claiming no control over (or responsibility for) the eastern section. Paired with the economic disparities of systemic racial segregation, this approach resulted in a better maintained western section while the eastern section was usually neglected and overgrown. Instead of the finely carved monuments that marked graves in the western section, most graves in the eastern section were marked with flagstones or not marked at all. A ground-penetrating radar survey in the late 2010s identified nearly 200 individual graves in the eastern section. [Maybe show GPR instead of plat?]

In 1958, Town officials amplified this racial division by spending taxpayer money to construct a chain link fence—on private property—along this dividing line between the two sections, as well as around the remainder of the western section. Gordon Winkler, who was Boone’s mayor at the time, justified the fence as a way to keep college students from cutting through the western section of the cemetery, but the Town extended no such protections to the eastern, or Black, section of the cemetery. The Town also assumed responsibility for maintaining and mowing the western section of the cemetery but expended no such effort on the eastern section. Instead, shortly before the fence was erected, Watauga County sold land on the old County Home site, including the old potter’s field there, to the trustees of the Black churches in the Junaluska community so that this land could be used as yet another segregated cemetery, this time located far out of town. Burials in the eastern section of the Boone Cemetery effectively ceased after that.¹

In 1999, Rachel Rivers-Coffey, who at that time was one of the trustees for the western section of the cemetery, reportedly discovered disturbed remains along the south embankment of the eastern section

¹ This footnote is not to be included on the panel, but Winkler acknowledged the specifics and inconsistencies about the fence in an interview in 1979. See Mike McLaughlin, “Union Soldiers, Blacks Are Buried in the Town’s ‘Forgotten’ Cemetery,” *Watauga Democrat*, August 23, 1979: B12. Winkler and the Democratic candidates for City Council actually campaigned for re-election in 1957 on the fence issue; see “A Statement to the Voters and Citizens of Boone from the Democratic Candidates for Mayor and City Council,” *Watauga Democrat*, June 13, 1957: 8. On completion of the fence, see “Good Improvement,” *Watauga Democrat*, October 16, 1958: 4. On the Clarissa Hill transactions, see Watauga County to Trustees of the Clairica Hill Cemetery, November 27, 1956, Deed Book 77, Page 466; and Watauga County a Municipal Corporation to Clarica Hill Cemetery, February 4, 1957, Deed Book 79, Page 74, Watauga County Register of Deeds. Burials appear to have begun at Clarissa Hill in 1955.

as a result of construction activities at ASU. To protect the entirety of the cemetery, Rivers-Coffey had the remaining trustees claim ownership over the eastern section, created a plat that merged the two sections into one holding, then transferred the property to a new cemetery group. The two sections of the cemetery remained divided by the chain link fence, however, until 2015, when the Town acquired the entire cemetery from the cemetery group formed in 1999. One of the Town's first priorities was to remove the fence that had long demarcated Boone's racial divisions among its dead.

Panel #4: Boone's Union Dead

On March 28, 1865, Union troops under the command of Major General George Stoneman entered downtown Boone from the west, where they were fired upon by members of the town's Confederate Home Guard who had taken up positions in the James W. Councill House on the site of the present downtown post office. Quickly overwhelmed, the Home Guard scattered toward Howard's Knob, and when the skirmish was over, three local residents were dead, several others were wounded, and 68 Watauga men were taken prisoner. One of those killed was Jacob Mast Councill, who did not participate in the fighting and was ambushed by Union troops as he put up his plow harness at his barn a short distance away near Cherry Street. Councill was the son of Benjamin Councill, Sr., the man who owned this land where the cemetery sits.

About a week later, a second wave of Union troops, including members of the 2nd North Carolina Mounted Infantry, entered Boone to serve as an occupying force as other detachments seized control of nearby Deep Gap and Blowing Rock. Among those new arrivals were the three White men buried here, all of whom were probably already ill with the diseases that killed them over the next ten days. William T. Bradley was roughly 18 years old, while John E. Maricle (about 29) and Henry P. Evans (about 33) were a bit older. All three were farmers who enlisted in Tennessee, but Evans and Bradley were North Carolina boys, while Maricle was from eastern Kentucky. It is impossible to know why they joined their unit and fought for the North, but many who did held Unionist views despite being southerners. Two other Union soldiers from the same regiment also died at Boone, but it is not known where they were buried.

If we accept the tradition that this eastern part of the Boone Cemetery was already in use in 1865 as a burying ground for those enslaved by the Councill family, then the decision to locate these White soldiers here was probably the Councill family's not-so-subtle commentary on those who were fighting to end slavery. Nevertheless, Benjamin Councill's willingness to allow them to be buried on his land after the killing of his unarmed son just a few weeks earlier is also striking.

You may notice that the headstones incorrectly listed Bradley's and Evans's names. This was likely the result of an error by the clerk taking the order in 1879, when the stones were finally installed. The stones here now are also not the originals, which were removed, stolen, and badly damaged during the early 2000s. Following the Town's acquisition of the cemetery in 2015, new stones were ordered, erected at their original locations, and rededicated in 2018.

Memo To: Mayor Rennie Brantz
Boone Town Council
Town Manager John Ward

From: Eric Plaag, Chairperson, Boone Historic Preservation Commission
(HPC)

Date: April 2, 2021

As requested by Town Manager John Ward in February 2021, the Boone HPC began discussions at its March 9, 2021, meeting concerning proposed interpretive/educational panels to be located in the Boone Cemetery on Howard Street. The following is a summary of proposed options endorsed by consensus by the HPC:

- 1) Installation of three to four interpretive panels that assist with explaining the purpose and history of the Boone Cemetery;
- 2) The first panel would be located near the main (and now the only functioning) entrance to the cemetery off of Howard Street. It would briefly explain the history of the Boone Cemetery as being originally two burial areas associated with the Councill family, divided according to race (burials of Black people, many of them enslaved, in the east section, with Whites traditionally buried in the west section). The marker would emphasize that the cemetery contains the graves of many people associated with the founding and early history of Boone, and as such, it is considered a sacred space within the Town deserving of appropriate respect. This panel would also have a QR code leading people to a website with a detailed gravesite inventory of both sections of the Boone Cemetery, complete with a map and very brief bios of each individual. Particularly notable burials would have a bit more information (Rita Sheridan, aka "Circus Girl"; Jacob Mast Councill, who was killed during Stoneman's Raid while working in his barn; various mayors; Rachel Rivers Coffey, who played a huge role in saving the cemetery; etc.).

A sidebar or a separate panel located adjacent to the first would explain why cemeteries are sacred spaces, similar in many respects to places of worship, and what types of behavior are and are not appropriate within the historic cemetery.

- 3) A second panel would be located near the trees adjacent to the three Union soldier graves in the east section of the cemetery. The Watauga County Historical Society is presently working with the Civil War Trails program in the hopes of having a Civil War Trails marker placed here at the cemetery, with Boone TDA also involved in this process. Funding for this marker could possibly come from a mix of stakeholders. This marker would have a bit of history on Stoneman's Raid in 1865 and why these three soldiers are buried here; it would also mention Jacob Mast Councill's grave in the White section of the cemetery.

4) The third panel would be located at the crest of the hill of the cemetery, directly on the old line between the Black and White sections of the cemetery. This marker would contextualize the decision to racially segregate burials, as well as include general information about the numerous burials in the Black section that remain unmarked (the JHA's obelisk in the Black section provides more specific information). The marker will also mention and contextualize the chain link fence that divided the Black and White sections of this cemetery up until 2015.

5) There have been several discussions since 2015 about creating a row of small, granite stones that would be flush with the ground and demarcate the old fence line, and the HPC members initially supported this concept once again at their March 9, 2021, meeting. Since then, however, one HPC member has questioned whether permanently memorializing that line in granite is the best way to interpret Boone's segregationist past within the cemetery, or whether that money might be better spent on other interpretive projects at the cemetery, with the proposed third panel instead serving the function of creating a "mental line" for visitors to the cemetery.

6) The HPC also discussed with Cultural Resources Director Mark Freed (who was also at the March 9 HPC meeting) the possibility of lantern-guided tours at night at the cemetery, perhaps as part of a partnership with SAHA and/or ASU, wherein each (hourly?) tour would consist of interpreters dressed as five or six significant figures buried in the cemetery (Rita Sheridan, Jacob Mast Councill, etc.) who give a brief overview of "their" lives, then answer questions from tour patrons. Similar in many ways to a "ghost tour," such programs are immensely popular in other communities and can be an excellent source for getting locals as well as visitors interested in the local community's history. As an addendum, I will add that the featured "significant figures" can rotate throughout the year or from year to year, so that content is constantly cycling. Themed tours are also possible ("Great Women of Boone," "Notorious Figures," "Political Figures," "Appalachian State Figures," "Trailblazers of Boone," etc.). The HPC recommended that this programming be developed for rollout during the Boone 150 programming in 2022.

7) The HPC also discussed the possibility of having a poop bag station installed just outside of the cemetery. There is a difficult balance in this approach; we want to discourage dog-walking in the cemetery, but we also know that it is already happening, so a poop bag station might help alleviate the consequences of the inevitable.

Historic Preservation Commission Chair/Vice-Chair Application

Town of Boone Planning & Inspections Department
680 W. King Street, Suite C ♦ Boone, North Carolina 28607

Phone (828) 268-6960 ♦ Fax (828) 268-6961 ♦ Email: planning@townofboone.net ♦ www.townofboone.net



Board Member Information (Please see Board Secretary if needed for term information)

Name (Print):

Date Appointed:

Date Term Expires:

Number of Terms Served:

Position:

☐ Chair

☐ Vice-Chair

Questions

1. Orientation & Training

A. Have you completed the Historic Preservation Commission orientation?

☐ Yes ☐ NO

B. If no, are you willing to attend orientation (2-3 hour commitment) prior to participating as Chair or Vice-Chair?

☐ Yes ☐ NO

2. Comprehensive Plan & Other Adopted Plans

A. Are you familiar with the Town's 2006 Comprehensive Plan and other adopted Plans as listed on the Planning and Inspections website under the "[Ordinances, Plans & Studies](#)" heading?

☐ Yes ☐ NO

B. If no, are you willing to take the time to review these documents in order to familiarize yourself with the intent and content of these plans prior to participating as Chair or Vice-Chair?

☐ Yes ☐ NO

3. Unified Development Ordinance

A. Are you familiar with the Town of Boone's [Unified Development Ordinance](#), specifically Articles 1 General Provisions, Article 2 Administrative Mechanisms, Article 4 Permits and Article 5 Quasi-Judicial Procedures and Article 8 Historic Preservation Standards?

☐ Yes ☐ NO

B. If no, are you willing to take the time to review these Articles in order to familiarize yourself with the intent and content of these Articles prior to participating as Chair or Vice-Chair?

☐ Yes ☐ NO

4. Historic Preservation Commission Rules of Procedure

A. Are you familiar with the Rules of Procedure?

☐ Yes ☐ NO

B. If no, are you willing to take the time to review this Guide in order to familiarize yourself with the intent and content prior to participating as Chair or Vice-Chair?

☐ Yes ☐ NO

5. Please explain why you wish to obtain this appointment:

Official Use Only

Date Reviewed by Historic Preservation Commission:

Date Reviewed by Town Council:

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Communication: Application for Chair and Vice-Chair (HPC Chair and Vice-Chair)