

**TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
MAY 13, 2025, 3:00 PM
Planning & Inspections Department & WebEx Video Conferencing**

Historic Preservation Commission Members Present: Vardell Smyth-Chair, Bettie Bond-Vice-Chair, and Ayden Basinger

Council Liaison: Virginia Roseman (via WebEx)

Planning Staff Present: Brandon Wise-Deputy Director, Jessica Mitchell-Advanced Planning Specialist (arrived at 3:36 p.m.), Amy Snider-Commercial Zoning Administrator, and Brenda Henson-Board Clerk

Other Town Staff/Representatives Present: Allison Meade-Town Attorney (via Webex)

Call to Order

Chair Smyth called the Boone Historic Preservation Commission meeting to order at 2:59 p.m. The meeting was held in the Planning & Inspections Conference Room at 680 West King Street and via WebEx.

Adoption of Agenda

Commission Member Basinger made a motion to approve the agenda as presented. Vice-Chair Bond seconded the motion.

Vote: Aye – 3
Nay – 0

The motion passed.

Public Comment

There was no public comment.

Case A25-0213 Mellow Mushroom – Certificate of Appropriateness

LD&B of Boone, LLC submitted a Certificate of Appropriateness for Major Work application for 805 W King St (WT0878 Sebastian Building), located in the Downtown Boone Local Historic District, to change the paint color of the trim around the windows and along the lower roof trim to Sherwin-Williams (SW) 7515 Homestead Brown and the upper roof trim to SW 9610 Stony Creek, and removing the blue plastic shutters from the east elevation.

Brandon Wise and Amy Snider, Town Staff members, were sworn in by Chair Smyth.

Commission members indicated they had no fixed opinions, no conflicts of interest, and had not participated in ex parte communication regarding this case.

Chair Smyth asked the applicant if he had any objections to the contents of the meeting packet. Mr. Luddeke replied that he had no objections.

Ms. Snider presented the request as outlined in the meeting packet. She noted that Mr. Luddeke wished to change the trim around the windows at the lower roof section, change the color from orange to brown, and remove the shutters from the eastern elevation.

Chase Luddeke, applicant for the case, was sworn in by Chair Smyth. Mr. Luddeke apologized for getting ahead of himself and started removing the shutters before obtaining proper approvals and permits. He stated that he was not familiar with the process.

Vice-Chair Bond stated that she was thrilled with the project. She noted that she did not remember any windows on the side of the building and asked if they were put in when the apartments were added. Mr. Luddeke replied that the windows were there when he purchased the building. He stated that the faux shutters were warped, and he thought he could go ahead and remove them because he had read that faux shutters were not allowed in the historic district.

Chair Smyth noted that the Commission did not have much to say about paint colors unless the applicant wanted to use an outrageous color.

There was no public comment on this case.

Motion and Vote:

Chair Smyth made a motion, seconded by Commission Member Basinger, that the proposed development is congruous with the special character of the Downtown Boone Local Historic District because of the evidence presented in the meeting and the meeting packet. Vice-Chair Bond stated that the changes would make the building more congruous. The COA is approved subject to the following conditions:

- Where there is a conflict between the application information and the plans (March 25, 2025), 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 representatives at the public hearing shall also become a condition of the permit and a basis for a stop work order and/or permit revocation if violated.
- The applicant shall submit the necessary applications, plans, details, and specifications which meet the requirements of the Town Code, UDO, Building Code, and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

Vote: Aye – 3
Nay – 0

The motion passed.

Case A25-0215 Chai & Chutney – Certificate of Appropriateness

Chai & Chutney submitted a Certificate of Appropriateness for Major Work application for 664 West King Street (WT0815 Todd and Higgins Esso Service Station), owned by Michael Vetro and located in the Downtown Boone Local Historic District, to reconfigure the existing rooftop ductwork and exhaust fan for an eight-foot kitchen exhaust hood and add ductwork and an exhaust fan for a new ten-foot kitchen exhaust hood.

Bill Dixon, architect for the project, was sworn in by Chair Smyth.

Commission members indicated they had no fixed opinions, no conflicts of interest, and had not participated in ex parte communication regarding this case.

Chair Smyth asked Mr. Dixon if he had any objections to the contents of the meeting packet. He replied that he had no objections. Mr. Dixon stated he would like to change page 78 of the meeting packet and presented a revised roof plan. He noted that one of the fresh air intakes had been removed so fewer

items would be on the roof. Commission members agreed to accept the revised roof plan into evidence **(Exhibit 6, permanently on file)**.

Ms. Snider presented the case as outlined in the meeting packet.

Chair Smyth felt the revision in the roof plan was much better than the original plan and created a lower profile.

Commission Member Basinger stated that the rooftop could only be seen from the street above the building.

Mr. Dixon noted that the equipment was placed beyond the mid-point of the building to make it less visible.

There was no public comment on this case.

Motion and Vote:

Commission Member Basinger made a motion, seconded by Vice-Chair Bond, that the proposed development, as amended with the revised roof plan in Exhibit 6, is congruous with the special character of the Downtown Boone Local Historic District because of the evidence presented in the meeting and the meeting packet. The COA is approved subject to the following conditions:

- Where there is a conflict between the application information and the plans (March 27, 2025), 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 representatives at the public hearing shall also become a condition of the permit and a basis for a stop work order and/or permit revocation if violated.
- The applicant shall submit the necessary applications, plans, details, and specifications which meet the requirements of the Town Code, UDO, Building Code, and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

Vote: Aye – 3
Nay – 0

The motion passed.

Vice-Chair Bond asked if there would be any other changes to the exterior of the building. Mr. Dixon replied that Phase II of the project might include covering the outdoor dining area. However, the restaurant owners would like to own the property before they put a lot of money into it.

Case A25-0216 Shoppes at Farmers – Certificate of Appropriateness

The Shoppes at Farmers Hardware submitted a Certificate of Appropriateness for Major Work application for 661 West King Street (WT0589 Boone Hardware/Farmer's Hardware Block) located in the Downtown Boone Local Historic District, to replace the existing metal framing and windows with new black anodized aluminum framing and windows.

Brandon Langdon, applicant for the case, was sworn in by Chair Smyth.

Commission members indicated they had no fixed opinions, no conflicts of interest, and had not participated in ex parte communication regarding this case.

Chair Smyth asked the applicant if he had any objections to the contents of the meeting packet. Mr. Langdon replied that he had no objections.

Mr. Wise presented the case as outlined in the meeting packet. He noted that the existing silver metal framing would be replaced with black aluminum.

Chair Smyth asked if this project would affect the black structured glass on the building. Mr. Langdon stated they would like to remove the black glass, which was not included in their COA request. He explained that the trim was corroded, loose, and broken.

Chair Smyth asked if the project would affect the corrugated metal on the building. Mr. Langdon replied that they would like to remove the corrugated metal because they had discovered brick underneath. This item was not included in the COA request either. Mr. Wise stated that removing the corrugated metal could be part of this COA request because it would not impact the zoning analysis. However, he felt that removing the black glass would require a separate COA request.

Chair Smyth asked if it was correct that such a large piece of plate glass was no longer available. Mr. Langdon replied that was correct, noting that the existing windows were single-pane and very heavy. He added that cracks around the doors were wide and affected heating bills.

There was discussion of the black glass on the building. Vice-Chair Bond stated she would like to have it removed at the same time as the other improvements. Mr. Wise said further examination of the standards would need to occur, and another COA would need to be requested. Ms. Snider noted that the deadline for submissions for the June 10 HPC meeting was May 21, 2025. Mr. Langdon stated that the work was planned for some time in June and would only take about three days to complete.

Mr. Langdon stated that they were also interested in removing the awning.

Mr. Wise cautioned the applicant that if they needed to clean the brick, they could not sandblast or pressure wash it because it could cause damage.

Motion and Vote:

Chair Smyth made a motion, seconded by Commission Member Basinger, that the proposed development is congruous with the special character of the Downtown Boone Local Historic District because of the evidence presented in the meeting and the meeting packet. The COA is approved subject to the following conditions:

- The corrugated metal below the windows will be removed to expose the original brick.
- Where there is a conflict between the application information and the plans (March 27, 2025), 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 representatives at the public hearing shall also become a condition of the permit and a basis for a stop work order and/or permit revocation if violated.
- The applicant shall submit the necessary applications, plans, details, and specifications which meet the requirements of the Town Code, UDO, Building Code, and any other applicable codes for review and approval necessary to issue Zoning and Building Permits.

Vote: Aye – 3
Nay – 0

The motion passed.

Review of Quasi-Judicial Training with Town Attorney

Chair Smyth stated that the School of Government training was good, but he felt it was a refresher because the staff and Town attorney had already taught them most of the material.

Ms. Mitchell asked if there were any questions for Ms. Meade about the training. No one had any questions.

Chair Smyth stated that the staff had talked about streamlining the COA process and possibly looking at a paint palette, which should be helpful.

Vice-Chair Bond felt that the downtown business community was beginning to appreciate the professionalism of the HPC and had more respect for their work. She stated that the material presented in the packets was well developed and helped answer many questions for the Commission.

Approval of Meeting Minutes

Vice-Chair Bond made a motion, seconded by Commission Member Basinger, to approve the April 8, 2025, Historic Preservation Commission advisory meeting minutes.

Vote: Aye – 3
Nay – 0

The motion passed.

Other Matters – For Information

Ms. Mitchell noted the Certified Local Government (CLG) Fiscal Year 2023-2024 Report and the Statement of Conformity Report in the meeting packet. She also reminded the Commission of a webinar about building codes and historic buildings to be held on May 21, 2025. Ms. Mitchell asked that Commission members register and complete the worksheet afterwards for CLG credit.

Chair Smyth said he could not attend the July 1 Historic Preservation Commission meeting. July meeting availability will be discussed at the June meetings.

Commission Member Basinger reminded everyone that his term on the HPC would expire on June 30, 2025.

Chair Smyth asked about the Daughters of the American Revolution marker that had been placed on a grave at the Boone Cemetery. Ms. Mitchell and Mr. Wise replied that the Town manager was handling the issue, and there were no further details at this time.

Adjournment

Chair Smyth adjourned the meeting at 3:49 p.m.

Vardell Smyth, Chair

Brenda Henson, Board Clerk