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

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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 considers 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 west 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 2022. He further noted that these were not the original windows in the openings, but 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 thought a finding of fact was warranted 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 sometimes 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 though 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 not 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 thought the standards in 1.2 were clear that the Commission had an obligation to preserve the brick of 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.

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 and 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 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 has 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.

Member Watkins commented on the bricks on the second-floor façade. He said that every brick there is either partially or completed 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-window type 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.

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Eric Plaag, Chair **Marlene Crosby, Board Secretary**