

**TOWN OF BOONE
HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
FEBRUARY 9, 2021
3:00 PM**

Historic Preservation Commission Members in Attendance: Chairperson Eric Plaag, Vice-Chairperson Phoebe Pollitt, Bettie Bond and Chuck Watkins

Council Liaisons: Rennie Brantz

Town Staff in Attendance: Jane Shook-Director of Planning and Inspections, Christy Turner-Senior Planner and Marlene Crosby-Board Secretary, Matt McGregor-Planning and Inspections Department Intern

Others Present: Lane Moody-Downtown Boone Development Coordinator and Mark Freed, Director of Cultural Resources

Call to Order

Chairperson Eric Plaag called the meeting of the Boone Historic Preservation Commission, held via WebEx, a video conferencing software to order on Tuesday, February 9, 2021 at 3:01 p.m.

Adoption of Agenda

Member Watkins made a motion, seconded by Member Bond to adopt the agenda as written with the following agenda items to be added after the District Designation Report: Town Streets, Boone Cemetery Educational Panels and Town Website.

Vote:

Aye – All

Nay – None

The motion passed.

Chairperson Plaag polled the HPC members as follows: Member Bond, Member Watkins and Chairperson Plaag.

Discussion ensued on replacing Former Council Liaison Loretta Clawson’s position on the Town Council and ultimately the HPC Council Liaison position. Chairperson Plaag said the deadline for applications to be submitted for the said Council position has passed. He asked could the HPC expect that the new member of Council would be joining the HPC as the second representative for the March 2021 HPC meeting. Council Liaison Brantz confirmed that eventually the HPC would have another Council Liaison attending the HPC meetings.

Discussion ensued on recruiting new HPC members. Chairperson Plaag talked about what constitutes a quorum, because now the Council Liaisons on the HPC do not count towards a quorum at this time. He encouraged the HPC members to continue to look for potential HPC members that have the required knowledge and experience to serve on the HPC. He noted there are three open seats on the HPC roster at this time.

Approval of Minutes

Member Bond made a motion, seconded by Member Watkins to approve the January 26, 2021 meeting minutes as amended.

Vote:

Aye - All

Nay - None

The motion passed.

Chairperson Plaag polled the HPC members as follows: Member Bond, Member Watkins and Chairperson Plaag.

Discussion ensued on the motion made at the January 26, 2021 HPC meeting regarding the closing of the Downtown streets for the Junaluska Marker unveiling on June 19, 2021 at 5:30 p.m. near the Watauga County Library. Ms. Turner asked the HPC to review the said motion and vote for clarity. Chairperson Plaag confirmed that the HPC was requesting a soft closure at King Street headed north on North Depot Street. Chairperson Plaag also confirmed that a hard closure at the median between the North and South sections of Queen Street, meaning no through traffic at that point.

Vice-Chairperson Pollitt joined the meeting at approximately 3:15 p.m.

Cemetery Deeds

Chairperson Plaag talked about a deed transaction that occurred in 1946 where a RF Greene and his wife Pearl Hodges Greene conveyed to Mamie H. Smith under deed book page 60 and page 618 where a parcel that probably incorporated the boundaries of the cemetery as part of the parcel, but then at the end accepted the cemetery portion from that tract. He said the deed reads as follows: "from this tract is excepted a lot known as the Hayes, Greene, and Bryan Cemetery. The size of the tract was 64 x 64 and on an extreme top of a hill". He said that neither he nor Vice-Chairperson Pollitt could find a predecessor deed that makes an exception for the cemetery.

Chairperson Plaag said neither he or Vice-Chairperson Pollitt could find a preceding deed where RF Greene obtained the parcel with dimensions that are the same as this transaction to Mamie H. Smith. He said there are a couple of earlier transactions that are near it. He said that one of those parcels appears to be an abutting parcel to this parcel. He said there was also a lot of activity in this general vicinity from the breakup of the Judge LL Greene lands in 1912. Chairperson Plaag said he was able to find the inventory of all of the parcels for it. He said there was a survey done and it appears that the survey was not recorded with the town. He said the map did exist and it was generally referred to as the LD Lowe survey of the Judge LL Greene lands. He said that LD Lowe did record a description of the parcels and not one of those parcels references the cemetery. He said we do not know how RF Greene obtained this. He said one of the assumptions that he thought both he and Vice-Chairperson Pollitt made is that they were looking for RF Greene to have been the buyer of this land. He said he also looked for Pearl Hodges as the grantee for one of these parcels that may have contained the cemetery. He said Pearl Hodges bought a lot of land in various places prior to her marriage to RF Greene. He said unfortunately, while some of her purchases were portions that LL Greene had auctioned in 1912, there was no deed for Pearl Hodges that references the cemetery and none that obviously seems to line up with this particular parcel. He said he thought that the town's solution, if they wanted to take over the cemetery, would be to go to the RF Greene and Pearl Hodges Greene heirs and ask for a quitclaim deed that would allow the Town to take over the cemetery. He talked about making a recommendation to Council for the Town to take responsibility for ownership and maintenance of the cemetery.

Discussion ensued on the maintaining of the cemetery. Chairperson Plaag talked about the Town possibly running the risk of opening up responsibility for several other cemeteries in the Town that are not owned by anyone. He said the maintaining of the cemetery is the Council and Town Manager's decision. Chairperson Plaag said there is a legitimate public health interest, and historic preservation question about the cemetery for the town to consider. He talked about potential accidents that can occur from loose headstones at a cemetery when they are not maintained.

Chairperson Plaag said he thinks the HPC has done everything they can do in terms of the deed research. He asked Ms. Turner if the Council had given additional direction to the HPC on the cemetery. Ms. Turner said that Council had also asked the HPC to work with Town Attorney, Ms. Allison Meade, when the owner was found to discuss possible regulations on private cemeteries. Ms. Turner asked if the HPC wanted to go to Council first and let the Council know the results of their research on the cemetery and get Council direction, before they start creating cemetery regulations. Chairperson Plaag said he would present to Council the entire deed history of the cemetery and that the HPC could not find a clear predecessor deed and the HPC believes a quitclaim deed could be done with the descendants of the cemetery and he would pose the questions that the HPC talked about in this meeting regarding the cemetery.

Discussion ensued on regulations for private cemeteries. Chairperson Plaag noted that he did not know what regulations the Town could impose on a private cemetery that it does not control. He said that he believes there is a way that you can talk about land use, and maybe come up with UDO regulations for land use regulations for private cemeteries. Chairperson Plaag noted that he did not know what the limit is that the Town can impose on individuals in terms of maintaining the historical components of a site, unless we do landmark designations for all of those cemeteries.

Chairperson Plaag said he would need to talk to the SHPO regarding cemeteries becoming local historic landmarks. He said there might be historic component there that they are destroying if you allow them to remain unprotected. He said that he agreed with Member Bond on asking Council for direction on the cemeteries. He suggested presenting to Council the information they have which includes the suggestion to try to get a quitclaim deed from the descendants of RF Greene and Pearl Hodges Greene. He said additional research would need to be done to find out if it is even eligible as a local historic landmark.

Chairperson Plaag talked about acquiring historic cemeteries by quitclaim deeds or other mechanisms rather than researching them one at a time as requested by a single citizen. Chairperson Plaag suggested deferring to Council and the Town Attorney, Ms. Allison Meade on what should be done in this situation. The HPC agreed with Chairperson Plaag.

Ms. Turner pointed out to the HPC members that they would need to approve Chairperson Plaag to present to Council the information discussed at this HPC meeting. Chairperson Plaag asked for a motion for the HPC to authorize him to present to Council an informational report along with some questions the HPC has talked about as a way of framing a discussion for Council regarding the next steps for the HPC on said topic.

Motion and Vote:

Vice-Chairperson Pollitt made a motion, seconded by Member Bond to approve Chairperson Plaag to attend the March 2021 Council meeting to present an informational report along with some questions the Historic Preservation Commission discussed to help frame a discussion for Council regarding the next steps for the Historic Preservation Commission on the Council's request to research the owner of the Hayes, Bryan, Greene Cemetery.

Vote:

Aye – All

Nay – None

The motion passed.

Chairperson Plaag polled the members as follows: Member Bond, Member Watkins, Vice-Chairperson Pollitt and Chairperson Plaag.

Certificate of Appropriateness Applications

Member Bond began discussion on the COA application process. She voiced her concern on the proposed COA application regarding the detail of it and suggested that the HPC try to reduce the amount of detail in it. Ms. Turner told Member Bond that the application process needs to be detailed so that a well-informed decision can be made.

Chairperson Plaag said he felt like the application process for the Chapel Hill application process had a lot of detail in it. Ms. Turner agreed with Chairperson Plaag on said application. Chairperson Plaag said that he does not think it is a good idea or fair to put on the applicant, the responsibility for identifying which sections of the design guidelines apply to their project. Ms. Turner added that the Planning Staff helps the applicant complete their application and helps them identify the section of the ordinance that they need for their proposed variance. Chairperson Plaag confirmed that it would be the HPC's job and not the applicant's job to read the application and be sure that what they are requesting is in compliance.

Chairperson Plaag noted that the Hendersonville application did not capture enough information. He further noted that Burlington application, basically asks for the applicant information and it separates out the major and the minor work and basically says which one the applicant is doing and then under the major work items it asks for the things that they need to submit for major work as listed on packet page 41, 42 and 43.

Ms. Turner said the applicant should submit a complete package with the UDO requirements already addressed. She said if they are not addressed, the Staff sends them a review letter that tells them that they need to include the missing items. She said that the applicant could submit the missing items in time for the public hearing.

Discussion ensued on the Chapel Hill application form. Chairperson Plaag and Ms. Turner agreed that the Chapel Hill application content could be reduced down. Chairperson Plaag asked the HPC what they thought should be changed on it.

Member Bond referred to page 52 of the meeting packet. She talked about the section of the application form where it says the applicant must agree to refrain from speaking with or contacting a member of the Historic Preservation Commission about an application. She noted that she thought this information should be moved towards the top of the application form. Ms. Turner agreed that this information could be moved closer to the top of the application form. Ms. Turner pointed out that the Staff covers this topic in the pre-application meetings.

Chairperson Plaag scrolled slowly through the Chapel Hill application. Ms. Turner pointed out that the following items are necessary on an application: project description, personal information, property information.

Ms. Turner said that size, scale and lot placement may not be necessary on an application because the applicant is not going to know that information unless they employ an attorney and or surveyor, which sometimes, they do have a surveyor. Chairperson Plaag confirmed that item D on the application could be removed. Ms. Turner said an architect is usually needed for an elevation drawing.

Chairperson Plaag suggested that the HPC send the COA application information back to Staff to review the HPC's reactions to the COA applications and maybe design a form that captures what we think is essential to the process without overwhelming the applicant. Ms. Turner said that would be all right and she would try to have a draft application prepared by the next HPC meeting.

Chairperson Plaag called for a brief recess at approximately 4:11 p.m. At 4:19 p.m., he reconvened the meeting.

Public Comment

Chairperson Plaag opened the floor for public comment.

Ms. Lane Moody, Downtown Boone Development Coordinator joined the meeting at 4:20 p.m. She said that she had been talking with the Downtown Boone Development Association. She said they have been working on the Main Street work plan that they have to do for our state accreditation. She said they also talked about one of their goals is to take the time to understand the Historic Design Guidelines for when they are rolled out, so they can help communicate the purpose of them to the community.

Ms. Shook joined the meeting and explained that all points during this discussion with the Historic Preservation Commission, Community Appearance Commission, and with the Town Council was needed for the dissemination of the work products, before the public hearing process occurs. Ms. Shook said that in a few weeks there is probably going to be a coordination of those events. Ms. Shook said the goal all along was to share that information and keep everybody in the loop as we go through the process. She said that she expects on Friday, at the annual Planning Retreat, there will be discussion on the scheduling for future meetings, which will not be to adopt, but for public input meetings to gather feedback before the Staff moves forward with the kind of process to adopt. She said there should be sufficient time built into the process for review and comment.

Chairperson Plaag closed the floor for public comment.

District Designation Report

Chairperson Plaag noted that the packet included an updated version of the District Designation report. He said he went through the main areas and made some proposed changes but they were not substantive changes. He said the bigger area of change was to address both in the historical narrative and in the individual property descriptions what transpired with the status of the Hardin House or Turner house. He said that he tried to be as non-confrontational as he could be about the decision process, which is buried in a footnote. He said he thought that it was important to say what the sequence of events was, since this is essentially an historical document. He said he made a correction to some old language in the said draft report about the sequence of how district standards will be established. He said he corrected it to just make it clear that the District Designation report will rely on the Secretary of the Interior Standards, until a more definitive set of standards is reviewed and approved by the HPC and Council. Chairperson Plaag said originally, we talked about having the standards roll out at the same time as the designation. He said it was his understanding that we are now in a place where essentially, we will rely on the Secretary of Interior Standards with designation, and then have the public comment process for the actual specific standards. He said we have time for that dialogue.

Chairperson Plaag opened the floor for questions or comments on the proposed changes that he had made to the draft District Designation Report.

Member Bond said she would like for the HPC to think of the Hardin House as the Hardin House and not the Hardin/Turner House because it was the Hardin House name that has the historical significance. She also said that Mr. Turner bought the house but he never lived there, he only had his law office there. Chairperson Plaag agreed with Member Bond and he noted that in the draft District Designation report the aforementioned house would be referred to as the Hardin House.

Chairperson Plaag explained the reason why we had adopted Hardin/Turner house terminology. Chairperson Plaag said no matter how many times he has said to the Watauga County Commissioners, and to Mr. Deron Geouque, the Watauga County Manager that the appropriate historic name for it is the Hardin House; they always call it the Turner house. He said his reason for blending the two names is for a public information benefit, as opposed to the appropriate terminology for an historic property.

Chairperson Plaag said the reason for making these proposed changes is so that we can send to Council up-to-date draft District Designation Report that reflects all of the discussions. He said fortunately, the district boundary did not change during all of those discussions we had over the last few months. He said that he wanted to be able to present the Council with a draft District Designation Report for the Town Attorney, Ms. Allison Meade and Council. He pointed out that there is going to be a new Council member who will need be to review it. He said as they begin the designation process in the next couple of months, they would have had a chance to review it.

Chairperson Plaag said that he has not had time prior to today's meeting to make similar changes in the Downtown Survey Report, which has never officially been finalized by Council. He said with the HPC's permission, he would go through the Downtown Survey Report and essentially amend the historical report to contain the same changes like has been done in the historical section of the draft District Designation report. He said he would also update the entry for the Hardin House to reflect similar information as to what he added to the entry in the draft District Designation report.

Chairperson Plaag said that he would like to ask the HPC to make a motion to recommend to Council that they accept and pursue the draft District Designation Report based upon the draft District Designation Report that was voted on at the February 2021 Historic Preservation Commission meeting. In addition, that Council would accept the revised Downtown Survey Report based upon the same revisions that he will make to that document prior to the Council's next meeting, so that they can review both the Downtown Survey Report and the draft District Designation report at the same Council meeting. Chairperson Plaag asked the HPC, if they had any questions on what he proposed for a motion.

Motion and Vote:

Chairperson Plaag said that he would like to ask the HPC to make a motion to recommend to Council that they accept and pursue the draft District Designation Report based upon the draft District Designation Report that was voted on at the February 2021 Historic Preservation Commission meeting. In addition, that Council would accept the revised Downtown Survey Report based upon the same revisions that he will make to that document prior to the Council's next meeting, so that they can review both the Downtown Survey Report and the draft District Designation report at the same Council meeting.

Vote:

Aye – All

Nay – None

The motion passed.

Chairperson Plaaq polled the HPC members as follows: Member Bond, Member Watkins, Vice-Chairperson Pollitt and Chairperson Plaaq

Chairperson Plaaq confirmed with Ms. Turner that the draft Designation Report is already included in the Planning Retreat packet for their meeting on Friday, February 12, 2021. He said he would have time to make those same changes in the Downtown Survey Report as he made to the draft District Designation Report. He said he would submit the updated Downtown Survey Report to Staff on Thursday.

Ms. Shook noted that we are not giving Council the actual paper copies for the updated draft documents for Friday, February 12, 2021 but she will upload the updated links to those draft documents and let Council know that they are available online, and the Staff will go over the proposed changes with them. Ms. Shook said since the Staff has the topic of the draft documents on the Planning Retreat agenda action can be taken on them at the Planning Retreat on Friday. Ms. Shook noted that most of the afternoon of said meeting would be dedicated to discussion of the Downtown related projects.

Town Streets

Chairperson Plaaq provided two websites: Chronicling America at the Library of Congress and DigitalInc.org to help the HPC members with their online research. He explained how each website works and that he would upload the information to the same Google Drive as the other HPC information.

Vice-Chairperson Pollitt talked about possibly changing Tremont Street to another name that has historical meaning

Boone Cemetery Educational Panels

Ms. Turner began discussion on this agenda item noting that the Town Manager, Mr. John Ward had asked the HPC before they started a new project, if they would look at creating educational panels for the Boone Cemetery located on Howard Street. Ms. Turner said recently there has been some people skiing and sledding in the said cemetery. She said the request is for the HPC to create educational panels placed at the entrance of the said cemetery may help to cut back on these types of activities in the said cemetery.

Chairperson Plaaq confirmed that the education panels would be similar to the Civil War Trails Panels that you see on the side of the highways. Ms. Turner said yes.

Discussion ensued on a budget for the Boone Cemetery Educational Panels. Chairperson Plaaq asked Ms. Turner if Mr. Ward has given a budget for the educational panels. Ms. Shook said Mr. Ward did not give a budget amount. She suggested that an assessment be made on the amount of panels that would be needed and the size of the panels. She said with that information the Staff could discuss how much they would cost and the HPC can make a final recommendation based upon what the HPC's highest desire would be. She said if price was too high that discussion could occur to scale them down.

Chairperson Plaaq asked the HPC for their next meeting to think about the educational panels and what they might think should go on the separate panels along with panel themes and possible placement of the panels.

Town Website

Chairperson Plaag said that after talking with Town Staff, he would be transferring the website to Ms. Shook who will then have full control over it. He said the Town would have the billing responsibility for it. He said he would work with Town Staff on logistics behind the scenes to integrate it with other aspects of the Town website. Ms. Shook said that Mr. Ward had told her that the Town is close to making a higher end position that would be responsible for the town website. He said the goal is to be able to present the website to both Town Staff and eventually Council as a way of doing Town subsites going forward.

Informal Discussion or Other Matters

Chairperson Plaag suggested the following agenda items for the next HPC meeting on March 9, 2021: COA Application, Boone Cemetery Interpretative Educational Panels, District Designation Report, Town Streets and the Town Website.

Discussion ensued on the agenda items for the next HPC meeting. Chairperson Plaag set a deadline of one week before the next HPC meeting for any outstanding drafts that have not been submitted for the Town Streets project. He asked the HPC to email the said drafts to him and copy Ms. Turner and Ms. Marlene Crosby, Board Secretary by March 2, 2021, so they can be placed into the HPC meeting packet.

Chairperson Plaag confirmed with Ms. Turner that the HPC could continue with the Town Streets project while working on the cemetery educational panels. Ms. Turner said the cemetery educational panels topic should be added to the HPC’s task list.

Chairperson Plaag asked the Staff if they would have an update on the process for the District Designation Report. Ms. Shook said yes, there should be an update by that time. Chairperson Plaag said he would give an update on the said report at the next meeting.

Chairperson Plaag said he might have an update on the Town website, but he was not sure. He asked Ms. Turner, if the Staff had other agenda items to add to the next HPC meeting. Ms. Turner said that Chairperson Plaag had covered all of the agenda items for the next meeting.

Adjournment

Member Bond made a motion, seconded by Member Watkins to adjourn the meeting at 5:05 p.m.

Vote:

Aye – All

Nay – None

The motion passed.

Chairperson Plaag polled the HPC members as follows:

Member Bond, Vice-Chairperson Pollitt, Member Watkins and Chairperson Plaag.

Eric Plaag, Chairperson

Marlene Crosby, Board Secretary