

**TOWN OF BOONE  
SPECIAL PUBLIC HEARING  
DECEMBER 12, 2011 AT 5 PM  
Meeting Minutes**

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**Town Council Members Present:**

Mayor Pro Tem Lynne Mason, Andrew Ball, Stephen Phillips, Jamie Leigh and Rennie Brantz

**Planning Commission Members Present:**

Chairperson Milton "Bunk" Spann, Vice-Chairperson Eric Woolridge, Brett Scantlin, Robert Cherry, Jay Vincent, Tom Purpur, Donald Dotson, Cameron Lippard and Greg Simmons

**Planning and Inspections Staff Present:**

Jane Shook – Planner, Brian Johnson-Urban Design Specialist, Chris Grubb-Code Enforcement Officer/Environmental Planner and Marlene Crosby – Board Secretary

**Others Present:**

Greg Young – Town Manager and Sam Furgieuele – Town Attorney

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**CALL TO ORDER**

Mayor Pro-Tem Lynne Mason called the meeting to order at 5:14 p.m.

**CASE 20110638 APPALACHIAN MOUNTAIN BREWERY**

Sean Spiegleman has initiated a Zoning Map Amendment Petition for Conditional District Zoning for 163 Boones Creek Drive, property owned by Johnny C. Hampton and Cherie H. Smith (Watauga County PIN: 2910236493000). The request is to rezone the property to Conditional District B-3 General Business with a phased site specific development plan for a Brewery (Use 4.10 Light Industrial) with a Tasting Room (Private Club, 8.0 Restaurant, Bar, and Night Club). A five year vesting is being requested for this project.

Ms. Jane Shook, Planner presented this case as outlined in the meeting packet. Ms. Shook noted that this is a phased project with five-year vesting with a phased site specific development plan for a Brewery. Ms. Shook also pointed out that there was information regarding outdoor storage and display not in the staff report found in the meeting packet. Ms. Shook handed out a copy of an Addendum to the Conditional Re-Zoning Submittal prepared by Appalachian Architecture and an updated site plan for Phase I and II. This Addendum was received by Ms. Shook in the late afternoon of December 12, 2011 and the Staff was not able to review it prior to this meeting. The Addendum contained eight revisions on an updated survey, dumpster, stream buffers, bicycle parking, parking requirements, Phase II Seasonal Outdoor Tasting Area and Department Review Comments

Mr. Sean Spiegelman of the Appalachian Mountain Brewery located at 163 Boone Creek Drive in Boone was present to speak on this case. Mr. Spiegelman said that he is requesting the rezoning because there is no current zoning at this location for a Brewery.

Mr. Spiegelman said that his goal is to have a net-zero Brewery. He wants to buy land to have a Hops Farm, he wants to partner with local farmers for grain. He wants to use local sourcing to put the business capital back into the Boone area. He wants to hire his employees locally and create new jobs in Boone.

Mr. Spiegelman brought two empty beer kegs to help everyone understand the size and shape of the containers. He said that two kegs equal one barrel of beer. He talked about the New Belgium Brewing Company from Fort Collins, Colorado owners and how they have started a \$1.00 per barrel program. He read their slogan from their coaster that says "*Snow Days and Philanthropic Ways*". On the back of the coaster that says "*Get Philanthropic!*" Drink New Belgium and we'll donate to good causes. It's part of our \$1 Per Barrel Brewed Program and to date they've donated more than \$4 million. Give glassware and you get to choose the cause at [newbelgium.com](http://newbelgium.com). Mr. Spiegelman talked about community support and how every brewed beer type will host a local charity.

There will be a monthly brewed beer on a pilot system. He talked about involving the university's Ivory Tower Brewery to do the yeast cultivation for the Appalachian Mountain Brewery. He talked about Venture Capital and keeping students in the area to work after graduation from the university.

Mr. Spiegelman talked about the larger goals for his Brewery which is to put other breweries throughout the Appalachian Mountain chain and to put a lot of dollars into the business plan for redevelopment. He said that they will have craft beers and not domestic beers. He noted that in Asheville, North Carolina that the craft beer has increased the economy.

Council Member Ball asked Mr. Spiegelman to give some detailed information regarding the outdoor storage. Mr. Spiegelman said he plans to increase on the inside and not to have outdoor storage. If storage is needed, he can rent a storage space. He repeated that he plans to keep the grain inside and have the yeast cultivated at the university's Ivory Tower Brewery.

Council Member Ball asked Mr. Spiegelman to outline his production goals for five and ten years. Mr. Spiegelman said that it is difficult to say and be honest. He said an estimated goal would be to reach creating 500 barrels in five years and 1,500 to 1,700 barrels in ten years. He said, if the Brewery grows, he will have to buy another building.

Mr. Spiegelman talked about using a small table for the canning line. He talked about letting student interns come in and review the process for an educational experience.

Council Member Ball reminded Mr. Spiegelman that the rezoning stays with the property. Council Member Stephens asked if the Brewery was a low impact to the area and if light

and noise pollution had been addressed. Mr. Spiegelman said that the Staff has reviewed these items which include Section 173. Mayor Pro-Tem Mason asked about the need for a pre-treatment. Mr. Spiegelman said that for a Brewery they use low level acid cleaners, therefore, no need for a treatment plant according to his research. Mayor Pro-Tem Mason asked about the waste beer or tank residual. Mr. Spiegelman said that he will have to fill out a long-form survey and he will have to do whatever the municipal service says to do for waste.

Council Member Stephens asked how essential is the "Tasting Room?" Mr. Spiegelman said that if Appalachian Mountain Brewery becomes a large distributor, it can only sell its crafted beer wholesale. Mr. Spiegelman said that House Bill 98 allows for on-site sales. Mr. Spiegelman said that House Bill 796 was signed on December 8, 2011 which allows Sierra Nevada to come to the East Coast to brew its craft beers.

Council Member Leigh asked Mr. Spiegelman to describe the "Tasting Room". Mr. Spiegelman the size and shape and the ability for the customers to view the brewing process from the "Tasting Room". Council Member Stephens asked if there will be a bartender. Mr. Spiegelman said it would be a private club.

Planning Commission Member Lippard asked about the disposal of raw materials. Mr. Spiegelman said that he would like to do a grain exchange or compost. Planning Commission Member Lippard asked about the water usage. Mr. Spiegelman said that the proposed usage has been signed off by the Town of Boone Water Department.

Planning Commission Chairperson Spann asked about the increase of jobs and types of jobs the Brewery would create. Mr. Spiegelman said the short-term goal is to try to employ ten people at first for non-minimum wage type jobs. He said he would like to reserve 10 percent of the income for employee ownership. The long-term goal is to have an employee owned company to motivate and inspire the employees. Mr. Spiegelman said that the Sierra Nevada Brewing Company has 40 Millionaires. Chairperson Spann asked about the educational focus and the layout of the building. Mr. Spiegelman said that the goal is for the website and faculty to have information on the solar thermal.

Planning Commission Member Cherry asked about the street buffers. Mr. Spiegelman said that Staff asked him to re-establish the buffers and he addressed the stream buffers with Staff as well. Planning Commissioner Member Simmons asked about the storm water. Ms. Shook said it is not an issue. Planning Commission Member Vincent showed a concern historically speaking for flooding on the Northwest side of this property. Mr. Brian Johnson, Urban Design Specialist said that the existing on the property can remain and the Staff has encouraged the applicant to move the chain-link fence. Mr. Johnson said that the Staff would go by the new FEMA maps to locate the Special Flood Hazard area. Mr. Johnson said the applicant is meeting the current ordinance regulations and the current FEMA flood maps. Ms. Shook said a new building will have to meet the requirements of the ordinance. Mr. Johnson also said that they would have to flood proof the existing building by bringing it up to two feet above base flood elevation.

Planning Commission Chairperson Spann talked about the staff concerns on page four through eight of the staff report. Ms. Shook said that the loading and unloading has been addressed with Staff. The bike parking in the front of the building has not been reviewed for additional parking allocation. Ms. Shook said they must acquire satellite parking and the applicant is aware of it. Planning Commission Vice-Chairperson Woolridge said there will be no outdoor storage and the applicant will have to provide an outdoor display plan for the Staff to review. And the applicant will have to make sure that the display will not be able to wash into the creek. Ms. Shook said that there are no comments from the Public Works Department at this time other than they need 57 feet for a turn around. Planning Commission Member Simmons said that Use 4.120 allows for Outdoor Storage. Ms. Shook said that the Staff needs a site specific development plan. Member Simmons suggested that there be a condition for Outdoor Storage. Ms. Shook talked about the Floodway in the Corridor District and having a clear view from Hwy 321, there is not enough room for an additional buffer. Ms. Shook said that the applicant has no intent of Outdoor Storage of this type.

Mayor Pro-Tem Mason asked the first speaker to come to the podium. She outlined that each speaker will be allowed two-minutes to speak on this case.

The first speaker was Mr. Patrick Sullivan and he lives at 112 Dotson Drive. He said that he support this request and he hopes that others will follow him.

The second speaker was Mr. Eric Allain and he lives at 873 Fairway Drive. He is a Chemistry Professor at Appalachian State University and he supports this request.

The third speaker was Mr. Daniel Safley and he lives at 314 Meadowview Drive. He supports this request because of the sustainability development. He said that he is looking for friendly relationships and building the economy. He also said that Yeast will not pollute our area.

The fourth speaker was Mr. William Breeding and he lives at 207 Cecil Miller Road. He supports this request and he knows the Spegielman family.

The fifth speaker was Mr. Brett Taubman and he lives at 141 Cardinal Lane. He is a Chemistry Professor at Appalachian State University. He supports this request and he knows the Spegielman family.

The sixth speaker was Ms. Lauren Boone and she lives at 326 Howard Street. She is a Senior Graphics Arts Student at Appalachian State University. She supports this request because it has caused her to become involved in more programs, etc. She is also employed by the Appalachian Mountain Brewery.

The seventh speaker was Ms. Julie Steelman and she lives at 326 Howard Street. She fully supports this request and she feels it is a great asset to the community.

The eighth speaker was Mr. Ben Loomis and he lives at 135 Boone Creek. He is a student at Appalachian State University. He said he supports anything that we can do to help this property.

The ninth speaker was Mr. David Lewitt. He supports this request because it uses locally grown hops and allows the community to help them.

The tenth speaker was Mr. Jed Hewitt and he lives at 214 Park Street. He fully supports this request because it will create local jobs and bring economic growth.

The eleventh speaker was Mr. Nathan Kelischek and he lives at 326 Howards Street. He supports this request.

The twelfth speaker was Mr. Seth Hewitt and he lives at 214 Park Street. He fully supports this request because it creates local jobs. He is a 2011 Appalachian State University graduate and he is employed by the Ivory Tower Brewery.

The thirteenth speaker was Mr. Thomas Cooper and he lives at 214 Park Street. He encouraged the passing of this conditional re-zoning request to further continue to rezone for industry. He wants our agriculture brought back to this area.

The fourteenth speaker was Jake Chaney and he lives at 125 Bella Drive in Blowing Rock, North Carolina. He was present as the son of a small business owner for the WJ Office Supplies Business. He was also present as the Co-Founder of the Young Professionals Organization. He encouraged the passing of this conditional re-zoning request.

The fifteenth speaker was Mr. Michael Button and he lives at 375 Glendale Drive. He is the owner of the building across from the proposed location of the Appalachian Mountain Brewery. He raised a concern for parking. He said that this is a dead-end street and the parking in the road needs to be addressed. Mr. Button said that he has met a couple of times with Mr. Blake Brown, Director of Public Works for the Town of Boone. Mr. Button and Mr. Brown discussed curb and gutter and asphalt issues. Mr. Button said he is concerned about the Tasting Room causing after hours parking and having to use the Employment Security Commission parking lot. Mr. Button is concerned with the tractor and trailers not being able to turn around. Mr. Button said he does not want to have to police the parking of cars.

The sixteenth speaker was Mr. Kevin Caskey and he lives at 219 Green Street. He supports the request.

The seventeenth speaker was Mr. Chase Luddeke and he lives at 205 Sunburst Lane. He supports this request.

Mayor Pro-Tem Mason closed this public hearing for this case.

## **ADJOURNMENT**

Mayor Pro-Tem Mason adjourned the meeting at 6:43 p.m.

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Lynne Mason, Mayor Pro-Tem

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Marlene Crosby, Board Secretary