

FAIRVIEW PLANNING & ZONING MEETING
NOVEMBER 20, 2007
6:30 PM- FAIRVIEW TOWN HALL

The following members were present, constituting a quorum: Chairman Phil Thomas, Jesse Hargett, John Crowell, Patricia Kindley, Eddie Hudson, Dr. John Phifer, Nancy Randall and alternates Patti Freeman and Eddie Huntley

Personnel: Town Clerk Jan Carter and Land Use Administrator Jason Wager

Chairman Thomas convened the meeting with the quorum present. Chairman Thomas announced that the agenda would be modified to delay Approval of Minutes and Old Business until completing New Business. The agenda was further modified to consider an additional item of new business, TC-07-002, Radio Tower.

No committee reports were presented.

New Business:

Jason Wager discussed C-07-004- Consideration of Conditional Use Permit Application for the Old Ferry Road Mayor Subdivision(Revised). He compared the original and revised proposals for the CUP on the Old Ferry Road.

Some differences include:

- a. access management-all lots have driveway access off an interior road
- b. the access road is curved
- c. more common open space exists, which also serves as a buffer with adjacent Light Industrial (LI) property.

Jason Wager informed the Board that he had contacted Union County Environmental Health through David Cunningham. Cunningham reported that the proposed type of sewage treatment for this development, the Bioclere system, would be the first of its kind in Union County. Jason Wager reported that Union County Environmental Health would provide Fairview planning staff with more information within the month, and also suggested that the Planning board consider the idea of a surety or a letter of credit should this system be approved.

Mr. Noel Williams, developer of this proposed mayor subdivision, introduced Donnie Lawrence's son, Clint Lawrence, an engineer. Mr. Williams stated that the common area bordering the Light Industrial use would be seeded with fescue. He still does not propose walking trails on the sewer drainage field. Noel Williams and the Board discussed six items included in a November 13, 2007 letter from Donald Lawrence (PLS 1290) to the Fairview Planning Board. Of concern to the Planning Board were items 3,5 and 6.

The Planning Board discussed rewording item 3 to the following: Sewage system must be approved by appropriate regulatory agencies. Jesse Hargett suggested that an operator be required to pose a surety bond comparable to similar bonds in a 100 mile radius of Fairview. The Board agreed that this idea should await further information from Union County Environmental Health.

Item 5, "Homes will be constructed of all brick with concrete drives" was accepted by the Board as proposed by the developer.

The Developer agreed to a change of language in Item 6, as such reading "All Garages will be side or rear loaded."

These 3 items above were agreed upon by the Board and developer to be included in the CUP.

Jason Wager asked if the Board liked the new design. Clint Lawrence noted that sight distance was 500 feet in each direction.

Sam McGee, who owns 40-45 acres that adjoin the Williams property, spoke in favor of the CUP. He noted that the Williams family has lived here for many years.

Patricia Kindley questioned if a berm would be constructed along Old Ferry Road. Noel Williams stated that it would depend upon the amount of topsoil available, but that he intends to minimally construct a berm along each side of the entrance road.

Nancy Randall made a motion to table C-07-004 and to instruct the Zoning Administrator to acquire more information from Environmental Health about bonds and sureties. The motion was seconded by Patricia Kindley and it passed unanimously.

New Business:

Union County Public Schools Standardized Zoning Regulations.

The item of new Business was consideration of the Union County Public Schools Standardized Zoning Regulations. Jason Wager informed the Planning Board that Fairview Town Council wants a recommendation on this issue back to Council by January 21, 2008. Jason Wager provided some background on this matter. Union County Public Schools deals with 12 municipalities and the county, with 12-13 different sets of standards. Schools have a need to streamline the school construction, with some degree of predictability. Jesse Hargett noted that the Planning Board needed more time to digest this material. Jason Wager will get with Don Hughes with the School Department.

John Crowell made a motion to table this approval. Patricia Kindley seconded it. It passed unanimously.

TC-07-002

New business continued as Text Changes were discussed about the Radio Towers and Facilities. Supplemental regulations are Section 180M. The Conditional Use Permit would be easier. Jason Wager reported that at the Fairview Town Council meeting last night, the Council asked the Planning Board to tailor the above text change to make it more restrictive. These suggestions by the Council are intended to restrict the applicable properties that could possibly host a radio tower, specifically limiting these towers to property owned by the Town of Fairview, Union County or Union County Public Schools. Additionally, the proposal would change the setbacks on the side and rear property lines to 50 feet, but maintain the 200 feet setback requirement along the front. Dr. John Phifer said that it was too drastic to change it from 200 to 50 feet. Eddie Hudson was in favor of it. There was some discussion. Some Planning Board members expressed "reasonably ok" with the newest concepts. Some members were concerned about double standards in the option of hosting such a tower. Nancy Randall noted that a radio tower of 380 feet does not meet the intent of the land use plan for the town center of Fairview.

Chairman Thomas asked for comments from the public. Union county Homeland Security Director, Pat Beekman discussed Union County's existing towers. The cost of a tower is 2 ½ million dollars. There will be 7 tower systems in the future. Wireless internet could be used with this tower also. They can only put the tower to the back of the property because the buildings will be used in the future.

Eric Thomas, an elder at Bethlehem Presbyterian Church, discussed cemetery plans at the Church. He stated that the church cemetery extends to the back of the church property, and he expressed concern about the proximity of the tower to the cemetery. He wants the Boards to stay with the 200 feet setback.

Nancy Randall made a motion to reject the text change TC-07-002, based on the following:

- a. a double standard would result, allowing some properties to be developed using telecommunications towers and not others.
- b. Proximity of a church to a possible tower location
- c. Proximity of the town center of Fairview, and non-compliance with the land use plan for at least on possible tower site.

Dr. John Phifer seconded it. The motion passed.

Old Business:

TC-07-001

Jason Wager provided a handout outlining the workload of projects currently facing the Planning board. The handout included identification of the projects, action requested and projected time frame.

Then the Planning Board discussed proposed text change TC-07-001, Issue 1, Shopping Center. The Board reviewed Section 15, definitions and expressed satisfaction with those revised statement in August, 2007 document. The Board also endorsed point 2, changes in Section 147, Table of Uses. In item 3, changes to Section 180n (Performance Criteria for Shopping Centers) the Board supports the revisions with one addition: adding a statement saying that the developer must provide an easement for sidewalks and must provide grading for sidewalks.

Then the Board examined Option2:C on p.3 of the Proposed Text Changes- Fairview Land Use Ordinance to say “may” rather than “shall.” No greater than two rows of off-street parking may be provided in the front yard of the lot.

The Board continued to review the edits of this section of the ordinance and concurs with the proposed changes. The Board wishes to be certain that enough trees are required in the parking lots of shopping centers and also that pedestrian walkways exist, are pleasant and safe and are clearly identified by signage.

The Board ended discussion at 9pm. John Crowell made a motion that the minutes for September and October will be tabled until the December meeting. Jesse Hargett seconded it. It passed unanimously.

Public Comments- A visitor stated that he can't hear what the Board is saying. Jesse Hargett told him the Town will purchase a microphone soon.

Nancy Randall made a motion to adjourn the meeting. Patricia Kindley seconded it. It passed unanimously and the meeting closed.

Respectfully submitted:

Chairman Phil Thomas

Town Clerk Jan Carter