

FAIRVIEW PLANNING AND ZONING MEETING
OCTOBER 16, 2007 – 6:30PM
FAIRVIEW TOWN HALL

The following members were present, constituting a quorum: Vice Chairman Jesse Hargett, John Crowell, Patricia Kindley, Nancy Randall, Eddie Huntley, Dr. John Phifer And Patti Freeman

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

Vice Chairman Jesse Hargett opened the meeting. The minutes were discussed. The Board tabled the approval of the minutes until the November meeting. Patricia Kindley made a motion to change the Agenda to table TC07-001. Nancy Randall seconded it. It passed unanimously.

Jesse Hargett welcomed the guests that were there.

New business:

Jason Wager, Land Use Administrator discussed the application for an Old Ferry Road Subdivision. C-07-004

Noel Williams (petitioner) and Donnie Lawrence, the surveyor addressed the Board. Eighteen acres are involved. The land is zoned RA 40. Donnie Lawrence explained the maps that were given to all Board members. Standard setbacks on RA40 were discussed. Nancy Randall asked for the petitioner to talk to the Board. Bill Finner works with Waste Water Treatment, a private septic utility. He handed out a brochure to the Board Members. He proposed to use the "Bioclere" system. There are no chemicals used with this and there are two cycles. Waste water treatment cleans the water and moves it into a drain line. Union County will issue a permit for water. Jesse Hargett asked if each house would have a sewage hookup. They will have a gravity connection system. Bill Finner discussed the drain field, which is covered. The Board questioned whether the developer would agree to design walking trails in the sewer drainfield area. The developer would not want to put any money into the walking trail system, but walkers would be permitted to roam the area. Nancy Randall asked who pays for the inspections. HomeOwners Associations sometimes pay for this. Nancy Randall asked where the inspector would have access to the area. Bill Finner showed the area on the map and explained the answers to a few questions, such as what group/entity is responsible for maintenance of the sewer system. The Home Owners Association could require dues and could be responsible for the operation and maintenance of the waste water system, however this is not agreeable to the petitioner. Private Public Utilities can be paid to assume responsibility for operating such systems, and this is preferred by the developer. Bill Finner discussed how this works and how much it cost of the home owners. North Carolina DOT will approve and inspect the roads.

Nancy Randall asked more questions about the roads and stated she does not like to see a lot of roads or driveway cuts coming out of Old Ferry Road, per the recommendations of

the Town Engineer. She asked about open area in the development. Noel Williams next showed the site plan of the land and discussed shared driveways and traffic. Nancy Randal next questioned whether houses must be constructed with brick, stucco, stone or similar materials. Mr. Williams said yes, and he stated that his son Tony will do all the work on this development. Noel Williams stated that it will be very expensive to put in streets, and did not want to change the proposed design of the subdivision to include total access for all lots from interior streets. The Board next discussed Number 13 of Subdivision Proposed Conditions. They discussed how the light industrial parcel which abuts the property could be screened through a vegetative buffer, limits for cutting lots to preserve the treescape, brick houses and garages, manufactured homes, fences, utility equipment, underground utility lines, shared drives, and setbacks, stormwater control measures, and HomeOwners Association membership annual dues. A few changes were discussed. Noel Williams noted that he would prefer that a Public Utility Company be in charge of the systems instead of the HOA. Eddie Huntley said that either way would be fine.

Nancy Randall did not like the design of the development, specifically the series of lots that had drive way access off Old Ferry and the lack of common area. Jesse Hargett discussed Number 12 of the Conditions. Noel Williams talked more about the walking trails and trees and sewage service. Bill Finner answered the questions of the Board. Power lines will be underground in the development.

Jesse Hargett asked for any further comments from the people there.

Eddie Huntley made a motion to accept the C-07-004 Conditions as discussed. No one seconded it. Nancy Randall moved to not accept C-07-004, due to the lack of open space and concerns about the design. Patti Freeman seconded it. It passed. This is a recommendation and it will go to the Town Council.

IN SUMMARY

The Board recommendation was to not accept C-07-004. The Vote was 4 to 3. The vote against the petition was based on Health and Safety concerns. The primary concerns were the number of direct access points to Old Ferry Road and the “unknowns” surrounding the septic system.

Comments:

The Board suggested that the petitioner look at the design for ways to limit access to Old Ferry Road in order to mitigate that Health and Safety issue. Review the possibility of open areas and buffers, especially given the proximity of a commercial enterprise.

Jason Wager stated that Christine Surratt will have the September checks with the October checks.

Closing

Patricia Kindley made a motion to close the meeting. Dr. John Phifer seconded it. It passed unanimously.

Respectfully Submitted:

Town Clerk Jan Carter