



**Town of Fairview
Regular Meeting
September 11, 2017**

The following Council members were present: Mayor Phil Thomas, John Biggers, Jerry Clontz, Bradley Purser, and Gary Wilfong.

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer, Ed Humphries, Land Use Administrator / Deputy Clerk and Teresa Gregorius, Town Clerk

Agenda Changes

The Town Clerk noted that the presentation by Andy Williams/Fairview Fire & Rescue has been postponed until the October meeting.

Approval of Agenda

Bradley Purser made a motion to approve the agenda as amended. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser, and Wilfong voted yes (4-0).

Public Comments

None

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Accept Proclamation for National Suicide Prevention Week
- d) Approve Council Regular Minutes for August 14, 2017

Jerry Clontz made a motion to approve the consent agenda. Gary Wilfong seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Items of Business

Item 1: Discuss/Approve Major Development Permit #MDP 17-056

Ed Humphries reported that Major Development Permit #MDP 17-056 is a request from 601 Investments and Nest Homes to develop a subdivision (12 homes), The Estates at Fairview Farms, at the corner of Hwy. 601 and Hopewell Church Rd. Mr. Humphries stated that the Planning Board reviewed the permit and recommended the addition of county water, a landscaped berm on Highway 601 and street lights. The Board recommended approval with a vote of 7-0. He introduced David DeCaron with Piedmont Designs who went over the plans for the subdivision with the Council and answered their questions.

John Biggers made a motion to approve Major Development Permit #MDP 17-056 with the following conditions: county water serving the subdivision and landscaped berm along Highway 601 added to Exhibit A (attached). Bradley Purser seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Item 2: Approve amendment to noise ordinance

Ed Humphries presented the amendment to the noise ordinance that Attorney McCollum produced using verbiage from NCDOT:

MOTOR VEHICLES To operate or allow the operation of any motor vehicle in the Town of Fairview under the following conditions:

- (a) The vehicle has had its muffler-exhausts and/or noise –control equipment removed, altered or maintained in such disrepair as to create unreasonably loud and disturbing noises or;
- (b) The vehicle is being operated in a manner so as to create unreasonably loud and disturbing noises by engaging in jackrabbit starts, spinning tires and other such activities or;
- (c) The vehicle is being driven off road for racing or other activities or other operations that create unreasonably loud and disturbing noises.
- (d) To employ unmuffled engine compression brakes within the municipal limits of Fairview.
- (e) To operate or cause to be operated a motor vehicle unless the exhaust system is free from defects which affect sound reduction.
- (f) To remove or render inoperative or cause to be removed or rendered inoperative other than for maintenance, repair or replacement, any muffler or sound dissipative device on a motor vehicle.
- (g) To modify the exhaust system of a motor vehicle by the installation of a muffler cut-out or bypass, and no person shall operate a motor vehicle which has been so modified.

This amendment becomes effective upon adoption.

The Council discussed the amendment.

Gary Wilfong made a motion to approve the amendment to the noise ordinance. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Mr. Humphries presented the encroachment agreement between the Town and NCDOT for placement of signage in the DOT right of way.

Jerry Clontz made a motion to approve the encroachment agreement with NCDOT and authorize the Mayor to sign the agreement. Gary Wilfong seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Mr. Humphries presented the estimate for purchasing and installing proper signage for “unmuffled compression brakes prohibited” in the amount of \$903.47. He stated that he and B.B. Haigler would be installing the signs. Council discussed safety issues concerning sign installation.

Bradley Purser made motion to approve purchasing the proper signage for “unmuffled compression brakes prohibited” in the amount of \$903.47. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Item 3: Festival Update

Gary Wilfong reported that there are 15 craft vendors and 4 food vendors booked for the Festival so far. Lisa Thomas has been added to the Festival Committee and is in charge of children’s entertainment. She has lined up around 12 to 14 activities. There are 3 musical acts scheduled: Benton’s Cross Roads USO Show, Maggie Aldridge & Friends and the Pine Ridge Boys.

A security light has been installed near the horse shoe pits. Electrical lines are scheduled to be run from the restrooms to the security light and to the flag poles that will include outlets. All of the trenching and boring underneath the sidewalks/parking area was free. Charlotte Pipe is donating PVC for the trenches. The plan was to run 110 wire but the Festival Committee received a request from a food vendor for a 220 connection and would like to add 220 wire at the same time. The thought being lay all the wiring that would ever be needed at one time rather than down the road having to retrench at additional expense. Jerry Clontz stated that the Park & Rec Committee is against running the 220 wire.

Gary Wilfong made a motion to approve the electrical work (illuminate flag poles, 110/220 receptacles to security light and flag poles) from the Festival budget. Bradley Purser seconded the motion. Councilmen Biggers, Purser and Wilfong voted yes and Clontz voted no (3-1).

Item 4: Park Update

Jerry Clontz reported that at the last Park & Rec meeting the committee discussed installing a security camera at the park at the restroom area. He noted the cost would be

based on what type of equipment was purchased and a Park & Rec committee member offered to do the installation at no charge. He would like the Council's thoughts regarding cameras. Council members were in favor of a camera. Mr. Clontz stated that he would talk to Eagle Wood Inc. regarding re-seeding the property. Mr. Clontz also discussed:

- Purchasing a storage building/shed for storing supplies (small utility room in bathroom area has very limited space)
- Possibly installing a light (solar) at the entrance to the park

Mr. Clontz presented the lighting agreement from Duke Energy to install an additional security light behind the playground equipment for \$836.64.

John Biggers made a motion to approve the contract for additional lighting at the park and authorize Jerry Clontz to sign the contract. Gary Wilfong seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Council Comments

Gary Wilfong asked if the Council had any suggestions regarding Festival activities. The Mayor stated that several residents had said they enjoyed the turkey and dressing dinner that was served during the Fall Festival held many years ago.

Bradley Purser stated he was glad the noise ordinance and signage passed and hopes that it will be successful.

Mayor Thomas reported that he had received information regarding the NCDOT Fall Litter Sweep campaign September 16-30. Mayor Thomas stated that he was asked and has joined the North Carolina Mayors Association.

Bradley Purser made a motion to adjourn. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this 9th day of October, 2017

SITE NOTES

- * TOTAL SITE SIZE: 200.11 ACRES (THIS PHASE OF DEVELOPMENT: 27.98 AC)
- * TAX PARCEL: 081-88-008, GOOSE CREEK TWP, UNION COUNTY, NC.
- * SITE ZONING: RA-40
- * TOTAL LOTS PLANNED: 13.
- 12 OF THESE ARE BUILDING LOTS & 1 IS A COMMON OPEN SPACE LOT.

A PORTION OF THE 200.11 ACRES IS FUTURE DEVELOPMENT.
 THIS DEVELOPMENT: 27.98 AC | (AREA IN FLOODPLAIN: 0.53 AC)
 FUTURE DEVELOPMENT 1: 75.56 AC | (AREA IN FLOODPLAIN: 26.03 AC)
 FUTURE DEVELOPMENT 2: 55.11 AC | (AREA IN FLOODPLAIN: 0.00 AC)
 FUTURE DEVELOPMENT 3: 41.46 AC | (AREA IN FLOODPLAIN: 11.98 AC)

- * A PORTION OF THIS SITE LIES IN A SPECIAL FLOOD HAZARD ZONE PER FIRM COMMUNITY PANEL #3710554100J (10/16/2008).
- * NCGS GRID MONUMENTS WERE FOUND WITHIN 2000 FT OF PROPERTY

ZONING NOTES

- * **SETBACKS** (See lot 3 for typicals)
 FRT: 40'
 SIDE: 15'
 REAR: 40'
 MAX HEIGHT: 35'
 MIN. LOT WIDTH AT BLDG LINE: 120'
 MIN. LOT SIZE: 40,000 SF
 LOT 12 = SMALLEST BUILDABLE LOT = 51,865 SF
 LOT 8 = LARGEST BUILDABLE LOT = 119,252 SF

NOTE: THERE IS A 10' UTILITY EASEMENT ALONG ALL COMMON SIDE LOT LINES WITHIN THIS SUBDISION, A 10' UTILITY EASEMENT ALONG ALL REAR LOT LINES, AND A 10' UTILITY EASEMENT ALONG ALL ROAD RIGHT OF WAYS IN THIS SUBDIVISION.

- * TOTAL NEW ROADS = 1,052 LF; 1.39 ACRES IN RW. ALL STREETS TO BE CONSTRUCTED TO NCDOT STANDARDS AND WILL BE DEDICATED TO THE NCDOT PUBLIC STREET SYSTEM.
- * SUBDIVISION AND ROAD NAMES HAVE NOT BEEN APPROVED.
- * STREET LIGHTING IS PROPOSED FOR THIS SUBDIVISION. 5 STREET LIGHTS AS SHOWN.
- * COMMON OPEN AREA WILL BE DEEDED TO THE PROPERTY OWNERS ASSOCIATION WHICH WILL BE RESPONSIBLE FOR THEIR MAINTENANCE.
- * ALL LOTS IN THIS SUBDIVISION WILL BE SERVED BY INDIVIDUAL SEPTIC SYSTEMS AND UNION COUNTY PUBLIC WORKS OR WELLS. SOME LOTS, AS NOTED, WILL HAVE OFF-SITE SEPTIC SYSTEMS EASEMENTS.
- * AS OF THE DATE OF THIS RECORDING, THE LOTS REPRESENTED ON THIS PLAT HAVE NOT BEEN INSPECTED OR APPROVED BY THE UNION CO. HEALTH DEPT. UNTIL INSPECTED, THERE IS NO ASSURANCE THAT A BUILDING PERMIT WILL BE ISSUED. THE SITE AND THIS PRELIM PLAN HAVE BEEN EVALUATED IN TERMS OF SOILS AND SEPTIC SYSTEM LOCATIONS BY A PRIVATE SOILS CONSULTANT NOTED BELOW.
- * AN EROSION CONTROL PLAN WILL BE SUBMITTED TO NCDENR FOR PERMITTING UPON APPROVAL OF THE PRELIM PLAN. A COPY OF THE EC PLAN WILL BE PROVIDED PRIOR TO FINAL PLAT.
- * THIS SITE WILL BE CONSTRUCTED IN A TIMELY MANNER AND ALL DISTURBED AREAS WILL BE STABILIZED PER NCDENR-LAND QUALITY SECTION

TOTAL COMMON OPEN SPACE (THIS PHASE) = 1.21 ACRES (4.32%)

AERIAL TOPOGRAPHIC INFORMATION PROVIDED BY:
 NCDOT LIDAR DATA

LANDSCAPE NOTES:

46 STREET TREES SHALL PLANTED NO MORE THAN 50 FEET ON CENTER. TREE SHALL BE A MIN. OF 2-INCH CALIPER AT 8 FT HT AT TIME OF PLANTING. TREES SHALL BE APPROVED BY TOWN OF FAIRVIEW LAND USE ORDINANCE LATEST