



**Town of Fairview  
Planning Board Meeting  
November 21, 2023**

The following Planning Board members were present: Doug Buchanan, Sharon Clontz, Mike Medlin, Josh Presley, Bill Thomas, Rodney Stephens (Alt.). Absent: Chrisie Black, Greg Morgan, Fred Rogers (Alt.)

Others present: Ed Humphries, Land Use Administrator/Deputy Clerk; Teresa Gregorius, Town Clerk and Spencer Cox, Administrative Assistant

**Public Comments**

None

**Items of Business**

**A. Mini Mart @ Hwy. 601 and Brief Road #NR 23-098**

Ed Humphries presented Special Use Permit #NR 23-098 for a Mini Mart at Hwy. 601 and Brief Road. The Board discussed the list of questions below:

- I. *In the entrance that is being closed,*
  - a. *Remove the existing curb.*  
*No curb needed to be removed*
  - b. *Establish grass.*  
*Grass planted in entrance that is to be remove*
2. *Parking spaces*
  - a. *Number of spaces required is 16 (1 per 150 sq ft) Section 291 (2,500 sq ft building)*  
*Adding 5 parking angled spaces in front of building*
  - b. *Two of the 16 is required to be accessible one van and one for cars and trucks:*
    - i. *The one for vans needs a sign saying "VAN ACCESSIBLE"*  
*To be added*
    - ii. *Width for car is 96-inch min*  
*To be corrected*
    - iii. *Width for van is 132" with a 60" loading aisle or 96" with a 96" aisle*  
*To be corrected*
    - iv. *Parking spaces are 9'x19'*  
*To be corrected, 5 new spaces added*
    - v. *Parking for accessibility parking must be on solid surface with no potholes and 2% grade in both directions.*  
*To be corrected*

- vi. *It is recommended that that parking bumpers be place in front of the building at the parking spaces to stop cars from running into the building*  
*Owner did not want to do*
- 3. *Dumpsters*
  - a. *Is there going to be a dumpster? Yes*
    - I. *Must be screened Such screening shall consist of decorative opaque fences or walls or with sufficient natural plantings to create a year-round opaque screen. If man-made materials are used as part of such screening, such materials are to be as harmonious as possible with the principal building on the site.*
    - 2. *Locate on site drawing.*  
*Located to the right of the building close to the street*
- 4. *Sight distance at entrance on Brief.*
  - a. *NC DOT needs to establish the sight distance and remove shrubs that block the sight distance.*  
*Shrubs are to be cut*
- 5. *The planting indicated on drawing provided*
  - a. *No plant schedule*  
*Provided*
  - b. *Is it located outside the R/W*  
*No*
  - c. *Trees in the parking lot- 20% paved area is required to be in shade More detail in Land Use Ordinance.*  
*None needed*
- 6. *What is happening with the garage door on the side? It is not shown on the floor plan.*  
*Will not be used. Will be posted "Not In Use"*
- 7. *If the single door in front is changed out from a single to a double door, a building permit will be required.*  
*Door will remain "single door"*
- 8. *Site drawing does not show existing shrubs. Needs to be revised.*  
*Revised*
- 9. *Site drawing needs to show additional parking. Needs to be revised.*  
*Revised*
- 10. *Obtain driveway permit from NCDOT. Obtained*
- 11. *Meet with Fire Marshall*

Doug Buchanan made a motion to recommend to the Council with the revisions noted. Josh Presley seconded the motion. Board members Buchanan, Clontz, Medlin, Presley, Thomas, Stephens voted yes (6-0).

## B. Food Trucks

Ed Humphries presented the Board with a request from the town to add Food Truck Text Amendment #TA 23-112 to Land Use Ordinance in Definitions and Table of Uses as noted below:

**FOOD TRUCK.** *A licensed, motorized vehicle or mobile food unit that is designed and equipped to serve food and is temporarily located for the purpose of selling food items to customers. This use includes ice cream trucks*

**TEMPORARY VENDOR OPERATIONS.** *Temporary vendors shall operate under the following conditions:*

- 1) *Hours of operation shall be limited to between 6:00 a.m. and 11:00 p.m. except for special events operating under a temporary use permit.*
- 2) *Food trucks and food trailers shall be parked on private property with the property owner's permission and shall not be parked within any street, right-of-way or sidewalk area.*
- 3) *Temporary vendors are responsible for the proper disposal of solid waste, wastewater and trash associated with the operation. Waste and trash shall be removed from the location of operation at the end of each day to maintain the health and safety of the public.*
- 4) *No grease shall be disposed of in public places, streets, stormwater drainage system, or sanitary sewer system.*
- 5) *Advertising and signage is limited to what is displayed on the vendor truck, trailer or structure and any permitted signs on the site of operation.*

- 6) *Food vendors shall display or otherwise make available menu items and prices.*
- 7) *Vendor operations shall be walk up arrangements only. Drive through operations are prohibited.*
- 8) *Vendor operations as an accessory use shall not impede or otherwise compromise the vehicle access, pedestrian access or parking arrangements of principal uses on the same site.*
- 9) *Site plan may be required.*
- 10) *Food truck will be moved daily.*

The Board discussed and added #10 to the list.

Doug Buchanan made a motion to recommend to the Council with the revision noted. Sharon Clontz seconded the motion. Board members Buchanan, Clontz, Medlin, Presley, Thomas, Stephens voted yes (6-0).

### C. Minutes

Mike Medlin made a motion to approve the October 17, 2023 minutes. Bill Thomas seconded the motion. Board members Buchanan, Clontz, Medlin, Presley, Thomas, Stephens voted yes (6-0).

Bill Thomas made a motion to adjourn. Mike Medlin seconded the motion. Board members Buchanan, Clontz, Medlin, Presley, Thomas, Stephens voted yes (6-0).

Respectfully submitted,

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Teresa Gregorius  
Town Clerk

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Doug Buchanan  
Chairman

**Approved this 20<sup>th</sup> day of February 2024**