

# ***Town of Fairview***



## **Town of Fairview Regular Council Meeting January 13, 2026 @ 6:30 pm**

### **1. Call the meeting to order: ---Mayor Wilfong**

The following Council members were present: Mayor Gary Wilfong, Patricia Kindley, David Link (left meeting at 7:25 PM) and Kerry Price. Absent: John Biggers

Others present: Darrell Baucom, Financial Officer; Ed Humphries, Land Use Administrator; Teresa Gregorius, Town Clerk and Spencer Cox, Administrative Assistant

### **2. Invocation**

### **3. Pledge of Allegiance**

### **4. Agenda Changes/Approval of Agenda**

Patricia Kindley made a motion to approve the agenda as submitted. David Link seconded the motion. Council members Kindley, Link and Price voted yes (3-0).

### **5. Approval of Consent Agenda:**

5.A. Financial and Tax Reports--- *Report Accepted as Information (including Pending Bills documentation provided at meeting)*

5.B. Land Use Report---*Report Accepted as Information*

5.C. Fairview Park Facility December Draft Minutes *(No December Meeting)*

5.D. Planning Board December Draft Minutes *(Accepted as Information)*

5.E. Approve Council Minutes for December 9, 2025

5.F. Give Town Clerk authorization to sign for Fairview town vehicles

Patricia Kindley made a motion to approve the consent agenda as amended. David Link seconded the motion. Council members Kindley, Link and Price voted yes (3-0).

## **6. Public Comments:**

Jake Mazur addressed the Council regarding the land use ordinance. He urged the board to remember past public comments about town projects and consider those concerns when making decisions about land use, as these decisions will affect future generations. He also inquired about the status of the Purple Heart designation, to which the Mayor responded they were looking into their records to verify if it had been done previously.

Mr. Mazur further suggested the town consider submitting a petition to support a state bill increasing property tax exemptions for veterans. He recommended taking a count of veterans in the area and submitting a town letter of support. The Mayor suggested adding a self-reporting system on the town website to help count veterans.

## **7. Presentations: None**

## **8. Items of Business:**

### **8.A. Discuss Major Subdivision Permit # MDP 25-110**

Ed Humphries presented a request from the Tanners for a major subdivision permit for property at 9515 Concord Highway. The proposal included six lots on approximately 20 acres. Humphries explained this was a quasi-judicial hearing, with the zoning remaining the same.

Humphries noted the Planning Board had recommended approval by a vote of 4-1, with the chairman's concerns about map details having been addressed. He presented the subdivision details, explaining that:

- All lots would meet the required size
- Lots 1-4 would use one easement
- Lots 5-6 would share a joint driveway to Highway 601
- All lots would have septic fields
- A buffer zone would be maintained along Duck Creek
- A small portion of septic field would be in the floodplain, which the county had tentatively approved

## **Mayor Opened Public Hearing**

### **Public Comments**

Carl Clontz expressed concerns about the development based on his family's historic connection to the land. He worried about septic systems, construction equipment traffic, and potential water runoff issues.

Ed Humphries addressed these concerns, explaining:

- Each house would have its own septic system that must be approved by county environmental health
- The soil scientist had determined the land does perk
- The developer cannot increase water runoff beyond current levels
- No structures can be built in the Duck Creek buffer zone
- Each lot must be at least one acre per town ordinance
- All permits must be secured before construction can begin

### **Mayor Closed Public Hearing**

#### **Approve “Finding of Fact”:**

1. Patricia Kindley made a motion that the proposed special use will not materially endanger public health or safety because regulations have been met as discussed. David Link seconded the motion. Council members Link, Kindley, and Price voted yes (3-0).
2. David Link made a motion that the proposed special use will not substantially injure the value of adjoining or abutting property based on the information presented. Patricia Kindley seconded the motion. Council members Link, Kindley, and Price voted yes (3-0).
3. Patricia Kindley made a motion that the proposed special use will be in harmony with the area in which it is to be located because this is a rural RA-40 residential area. David Link seconded the motion. Council members Link, Kindley, and Price voted yes (3-0).
4. Kerry Price made a motion that the proposed special use will be in general conformity with the land use plan, thoroughfare plan, or other plan because it's consistent with provisions in the land use plan. David Link seconded the motion. Council members Link, Kindley, and Price voted yes (3-0).

#### **Approval of Request:**

Kerry Price made a motion to approve Major Subdivision Permit # MDP 25-110 Tanner Estates requested by Sam Tanner to develop six (6) lots zoned RA-40 on 20+- acres located at 9515 Concord Highway, Indian Trail NC 28079, Parcel #08180002. The proposed zoning amendment under consideration is found to be reasonable and consistent with the recommendations of the Town's adopted Comprehensive Plan, the Town of Fairview Land Use Plan (Revised March 9, 2021), and the Town of

Fairview Land Use Ordinance (effective July 1, 2005). Patricia Kindley seconded the motion. Council members Link, Kindley, and Price voted yes (3-0).

#### **8.B. Michael Harvey, NFocus, Discuss Future Land Use Plan**

Michael Harvey from NFocus presented information about the town's future land use plan. He explained that the current map identifies existing land uses, not prescriptive future development. He noted that the planning board had requested to preserve the downtown area as identified on the current map, identify areas for possible commercial development along major thoroughfares, and determine potential areas for higher density development if public services became available.

Harvey discussed several legislative concerns affecting municipal planning:

- A potential bill establishing a study committee to identify communities that shouldn't continue to exist
- Possible legislation requiring communities to allow more dwelling units per acre
- Potential legislation removing advisory boards and elected officials from subdivision plan approval process

He requested Council feedback on:

- Areas for rural category growth
- Areas for commercial growth
- Potential areas for higher density development

Harvey noted the planning board had requested creation of a lower density district (2.5-5 acres minimum), which could be included in the ordinance but only applied if property owners requested rezoning. He emphasized that any higher density development would require public water and sewer, which limits where it could occur to the southern part of the community along major thoroughfares.

#### **8.C. Discuss Proposal for Additional Park Parking/Electrical/Amphitheater**

Ed Humphries presented information about the next phases of park development, outlining three areas that need attention:

- Electrical work for the amphitheater
- Design of the amphitheater shell (foundation already exists)
- Additional parking (80-90 spaces with gravel surfaces)

Humphries explained that Jon Wood had provided cost estimates for designing these elements. Once designs are approved, the town will bid out the actual construction work.

## **9. Council Comments:**

Spencer Cox reported that town hall would be utilized every month this year for various events, including shag lessons, Medicare meetings, and summer camps. The facility will also host early voting in February.

The mayor reported that he had met with county park and recreation staff about the town's master plan. He shared that county staff had begun work on extending the walking trail in the park to create a loop rather than an out-and-back path, at no expense to the town. Additionally, the Mayor announced that the county had donated a 2007 pickup truck and a zero-turn lawn mower for use in the park.

## **10. Adjournment**

Patricia Kindley made a motion to adjourn. Kerry Price seconded the motion. Council members Kindley and Price voted yes (2-0).

Respectfully submitted,

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Teresa Gregorius  
Town Clerk

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Gary Wilfong  
Mayor

**Approved this 10<sup>th</sup> day of February 2026**