



## Town of Fairmont Planning Board Meeting

Town Hall  
421 S Main Street, Fairmont, N.C. 28340  
Thursday, May 1, 2025  
6:00 pm

Chairperson- Jason Carter, Vice – Chairperson, Winona Gause, Members; Monte McCallum, Andrew Grimsley, Jerald Brooks, Vickie Tate, Wayne Pettit, Town Manager Jerome Chestnut, Deputy Town Clerk Rodney Cain.  
Member: Phostenia McCrimmon, Dewayne McCormick, was not present.

### **PRE-MEETING**

Members, Staff, and the public were invited to attend a pre-meeting near 1205 South Main St. at 5:00pm. The former Gaston Sealy Warehouse. This is the site of a proposed subdivision. Item# IXa on this agenda. No business was conducted by this Board at this site.

### **CALL TO ORDER and INVOCATION**

Chairperson, Jason Carter called the meeting to order at 6:00 pm.

The Town Manager, Jerome Chestnut provided the invocation, followed by the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

**Motion** – Member, Monte McCallum made a motion to approve the agenda.

**Seconded by** – VC, Winona Gause

**Vote** – (Approved)

### **PUBLIC COMMENTS**

There were no public comments

### **CONSENT AGENDA**

Approval of Planning Board Meeting Minutes for April 3, 2025.

**Motion** – Member, Monte McCallum made a motion to approve the consent agenda.

**Seconded by** – VC, Winona Gause

**Vote** – (Approved)

### **ACTION AGENDA**

#### **2<sup>nd</sup> Review of Planned Subdivision – Near 1205 S. Main St. Fairmont, NC (Review Only)**

##### **Background**

New Paths Development and Consulting LLC has submitted initial plans for a subdivision to be located near the vicinity of 1205 S. Main Street, Fairmont, NC. Their plans call for the construction of 16 Cluster Homes (see

attached pictures) on 9.11 acres. This property is within the town limits and has readily available access to water/sewer/stormwater services. This property is zoned Residential – 10 (R-10).

**Attachments:**

- Property card
- Major Subdivision Plat Application
- GIS Map
- Zoning Map
- Site Plan/Survey Map
- Illustration of homes
- Floor Plan of homes

This was a Review Only.

**1<sup>st</sup> Review of Annexation Request – 14696 NC-130, Fairmont, NC**

**Background**

Mr. Nasruddin (Sam) Massar has submitted a petition for non-continuous annexation for his commercial property. Mr. Nasruddin understands that this is a voluntary petition for annexation and that approval lies with the Board of Commissioners. Mr. Nasruddin understands that his property must meet the five standards of annexation.

**Attachments**

- Property Ownership Card
- Picture of Location
- Tax Payment History
- Standards of Annexation
- Annexation Survey Map

12-month Law Enforcement call history

**Motion** – Member, Grimsley made a motion to recommend this item for a 2<sup>nd</sup> Review by this Board on June 5, 2025.

**Seconded by** – Member, McCallum

**Vote** – (Approved)

**Review of Text Amendment – Article 11.6 – Adult Business and Entertainment**

**Background**

The Town Manager is requesting that the Planning Board review the following article for possible amendments. The Town Manager is seeking an amendment that clarifies the definition as written in our Zoning Ordinance.

**Fairmont Zoning Ordinance**

11.6. ADULT BUSINESS AND ENTERTAINMENT ESTABLISHMENTS (INCLUDING BOOKSTORES)

11.6.1. Where: Light Industrial District - Special Use Permit Required

11.6.2. Defined: An Adult Establishment/Sexually-Oriented Business means any business or enterprise that has as one of its principal business purposes or as a significant portion of its business an emphasis on matter and conduct depicting, describing, or related to anatomical areas and sexual activities specified in G.S. 14-202.10. This includes, but it not limited to, adult bookstores, adult motion picture theaters, adult mini motion picture theaters, adult live entertainments, or massage businesses. This provision shall not pertain to massage therapists who are licensed or registered medical professionals or other persons certified by a state or nationally recognized organization; nor shall this apply to any private or public fitness center or nonprofit community recreational fitness and service organization, either of which provides massage therapy as a service incidental to the operation of a fitness center.

**“As one of its principal business purposes or as a significant portion of its business”**

**The Town Manager recommends the above language be stricken from the definition.**

**Proposed Amedment:**

11.6. ADULT BUSINESS AND ENTERTAINMENT ESTABLISHMENTS (INCLUDING BOOKSTORES)

11.6.1. Where: Light Industrial District - Special Use Permit Required

11.6.2. Defined: An Adult Establishment/Sexually-Oriented Business means any business or enterprise that has an emphasis on matter and conduct depicting, describing, or related to anatomical areas and sexual activities specified in G.S. 14-202.10. This includes, but it not limited to, adult bookstores, adult motion picture theaters, adult mini motion picture theaters, adult live entertainments, or massage businesses. This provision shall not pertain to massage therapists who are licensed or registered medical professionals or other persons certified by a state or nationally recognized organization; nor shall this apply to any private or public fitness center or nonprofit community recreational fitness and service organization, either of which provides massage therapy as a service incidental to the operation of a fitness center.

**Motion** – Member, Tate made a motion to remove the following words from this Text.

**“As one of its principal business purposes or as a significant portion of its business”**

**Seconded by** – Member, Gause

**Vote** – (Approved)

**Review of Text Amendment – Article 11.10 – Assembly Uses, Page 11-12**

**Background**

The Town Manager is requesting that the Planning Board review the following article for possible amendments.

**Fairmont Zoning Ordinance**

**11.10. ASSEMBLY USES- ARENAS, EXHIBITION HALLS, CLUBS, AND LODGES, CLUBS, LODGES**

**11.10.1. Where Permitted: CBD, GB and GB-1 Districts as a Use with Conditions.**

**11.10.2. General Requirements: Shall meet the requirement of Section 11.4 as applicable to the district in which the use is located.**

**11.10.3. Specific Development Requirements:**

**A. Street Access: The lot shall have direct access to an arterial or collector street. Vehicles may not exit the site by backing into the road, highway, or street.**

**B. Buffering: A buffer shall be installed along the property line adjacent to residentially zoned or used property as required in Article 10, Part III.**

**Proposed Amendment:**

**11.10. ASSEMBLY USES- ARENAS, EXHIBITION HALLS, ~~CLUBS, AND LODGES~~, CLUBS, LODGES**

**11.10.1. Where Permitted:** CBD, GB, GB-1, and the **Historic District** as a Use with Conditions.

**11.10.2. General Requirements:** Shall meet the requirement of Section 11.4 as applicable to the district in which the use is located.

**11.10.3. Specific Development Requirements:**

**A. Street Access:** The lot shall have direct access to an arterial or collector street. Vehicles may not exit the site by backing into the road, highway, or street.

**B. Buffering:** A buffer shall be installed along the property line adjacent to residentially zoned or used property as required in Article 10, Part III.

**11.10.4. Use of the property must be an allowed use in the district in which the activity is taking place**

**Recommendation:**

The Town Manager recommends that the above ordinance be amended as presented.

**Motion** – Member, Tate made a motion to Table this Item for further inspection.

**Seconded by** – Member, Grimsley

**Vote** – (Tabled)

**Review of Text Amendment – Fairmont Zoning Ordinance – Article 11.50(Item# IXe)**

**Background**

The Town Manager is requesting that the Planning Board review the following article for possible amendments.

**Fairmont Zoning Ordinance**

**11.50. ANY USE NOT OTHERWISE PROHIBITED BY LAW OR BY THIS ORDINANCE**

**11.50.1. Where Permitted:** Should be considered for the district where uses most closely approximate the requested use. Allowable in the R-A, R-10, C-B, G-B and L-I Districts - Special Use Permit Required.

**11.50.2. General Requirements:** Shall at a minimum meet the requirements for development as outlined in for the district in which it is located. **11.50.3. Specific Development Requirements:**

**A. Any unlisted use should be treated the same as the most nearly similar use. In making this evaluation, the Town shall consider the following factors: type of use, density and intensity of adjacent development, environmental effects, and the anticipated amount traffic, noise, light, vibration, odor, and other impacts on neighbors and the community.**

**B. Special Use Permit Required:** The uses listed above shall be subject to special use permit procedures and requirements as set forth in Section 6.3. This shall also include those previously licensed and existing when one enumerated use is being applied for in lieu of or supplementary to another enumerated use requiring or for which a special use permit has been previously issued.

**Proposed Amendment:**

**11.50. ANY USE NOT OTHERWISE PROHIBITED BY LAW OR BY THIS ORDINANCE, in addition to any business with the intention of obtaining an On-Premises Consumption ABC Permit.**

**11.50.1. Where Permitted:** Should be considered for the district where uses most closely approximate the requested use. Allowable in the R-A, R-10, C-B, G-B and L-I Districts - Special Use Permit Required.

**11.50.2. General Requirements:** Shall at a minimum meet the requirements for development as outlined in for the district in which it is located. **11.50.3. Specific Development Requirements:**

**A. Any unlisted use should be treated the same as the most nearly similar use. In making this evaluation, the Town shall consider the following factors: type of use, density and intensity of adjacent development, environmental effects, and the anticipated amount traffic, noise, light, vibration, odor, and other impacts on neighbors and the community.**

**B. Special Use Permit Required:** The uses listed above shall be subject to special use permit procedures and requirements as set forth in Section 6.3. This shall also include those previously licensed and existing when one enumerated use is being applied for in lieu of or supplementary to another enumerated use requiring or for which a special use permit has been previously issued.

**Recommendation:**

The Town Manager recommends that the above ordinance be amended as presented.

**Motion** – Member, Grimsley made a motion to Amend the Text to read as the Town Manager as recommended it.

**Seconded by** – Member, McCallum

**Vote** – (Approved)

**Items from the Planning Board**

- None

**Items from Staff**

- The next Planning Board Meeting will be held on June 5, 2025.
- The next Regular Scheduled Board of Commissioners meeting will be held on May 20, 2025.

**Adjournment**

**Motion** – Member, Grimsley made a motion to adjourn the meeting.

**Seconded by** – Member, McCallum

**Vote** – (Approved)

**Meeting Adjourned at 6:30 pm**

*Rodney Cain*

**Rodney Cain – Deputy Town Clerk**