

**Town of Hertford – Planning & Zoning Board of Adjustments  
May 20, 2024 - 7:00PM**

**Board Members Present:** Sara Winslow, Marvin Sutton, Andrew Almodova, Gracie Felton, Milton Long, Joe White, Brenda Hollowell-White

**Board Members Absent:**

**Staff Present:** Janice Cole, Doris Walton, Sarah Nixon

**Town Council Present:**

**Public Present:** Glenn White, Curtis Godfrey, Chris Staley, Richard Paulin, Eddie Gurganus, Dayne Colson, Diane White

This meeting was held in person at the Herford Community Center and was called to order at 7:00 PM Chairman Sara Winslow.

Vice Chairman Marvin Sutton delivered the invocation.

The Pledge of Allegiance was recited.

**Approval of Agenda**

Vice Chairman Marvin Sutton made the motion to approve the agenda. Motion was seconded by Board Member Andrew Almodova.

Vote was 5-0 to approve the agenda.

**Approval of Minutes**

Board Member Milton Long made the motion to approve the March 18, 2024, minutes. Motion was seconded by Vice Chairman Marvin Sutton.

Vote was 5-0 to approve the minutes.

**New Business**

**Public Hearing to Update the District Use Chart**

Chairman Sara Winslow opened the Public Hearing and turned it over to Zoning Administrator, Janice Cole. Mrs. Cole stated that we have been working on this, and it is still very much a work in progress. One of the main things that needed to be addressed was the Permitted Uses of Churches. Any district that allows any types of gatherings, must allow Churches as well. After consulting with the Town Attorney, we felt it was something that must be adjusted.

Chairman Sara Winslow stated the Board has discussed revamping the District Use Chart several times and that the new grouping of uses is a lot easier to follow.

Chairman Sara Winslow closed the Public Hearing.

Vice Chairman Marvin Sutton made the motion to approve the updated District Use Chart as it is consistent with the overall plan. Motion was seconded by Board Member Gracie Felton.

Vote was 5-0 to approve.

**Realtor Curtis Godfrey – Commerce Drive Property**

Mrs. Cole stated that the property between Story's Seafood and FNB Bank is the property that will be talked about tonight. Mr. Godfrey has customers that want to purchase this property and use it as a restaurant along with bar and pool tables. Currently billiard/pool halls are permitted in C-1 and C-2, and this property is zoned C-4. The question arises that the plan is to be able to have enough pool tables to host tournaments. Also, maybe this needed to be changed in the District Use Chart.

Mr. Godfrey stated that since we do not have a definition for billiard/pool halls, could this establishment fall more under a restaurant, since during normal business hours that will be the main use. There will be food, beer and wine, and live music, and about 20 pool tables. The building that will be put there for these uses is 10,000 square feet. There is also a possibility of renting this space out for private events.

Chairman Sara Winslow asked about the seating for the restaurant area.

Mr. Godfrey responded there will be both high top tables and a regular seating area.

Mrs. Cole stated she wanted to clarify that this establishment does fall under restaurant which is permitted in C-4 already.

Board Member Milton Long made the motion that this establishment does fall under Restaurants, which is already a permitted use in C-4. Motion was seconded by Board Member Gracie Felton.

Vote was 5-0 to approve.

**Food Trucks**

Mrs. Cole stated this was placed on the agenda because it is something that has been coming up lately. There is one, maybe two food trucks that have been coming and setting up for the day, and we have had others ask if this is allowed. Some of the business owners have complained because it is competition for our local food establishments. These food trucks can be regulated, by possibly having to pay a business registration fee. Mrs. Cole wanted to see if the Board would like to hold a Public Hearing, giving our local business owners a chance to be heard on this subject.

Board member Milton Long stated that he would be interested in what other Towns are doing related to food trucks. If they are allowing them to set up as long as they have permission from the property owners, if they are paying a fee to the property owners. Would they come to the Town to get a permit, is that a requirement now? Mrs. Cole stated that now, that is not required. There was a discussion on what the Town of Edenton does regarding food trucks.

Doris Walton, Assistant Town Manager, spoke on how Elizabeth City handled food trucks, since she formerly worked with the city. Mrs. Walton stated if the lot owners gave them permission, then it was allowed. If the food truck came into the corporate part of Town (downtown) then they would be issued a permit by the Town. If the food truck was from out of Town or did not have a main establishment in the city/county, then they were issued a business license.

Board Member Gracie Felton stated that she has no issues with the food trucks coming to Town, especially on Mondays, Hertford is very limited to food options because a lot of the restaurants are closed on Mondays. Mrs. Felton stated that the food trucks getting a permit is reasonable.

Board Member Milton Long stated he sees no issues with food trucks parking and serving customers in a parking lot, along with permission. He sees an issue if they were to park on a street and serve a neighborhood, causing congestion within that neighborhood.

It was decided that the Board would hold a Public Hearing in July, to give the restaurant owners in Town a chance to voice their opinions on this.

An audience member, the incoming business owner who wants to bring the restaurant to Commerce Drive, stated that he has no issues with food trucks coming in. He stated that there is always going to be competition, but some of these food trucks have a following, and will bring business to the Town.

Dayne Colson, who has a business he just moved into Town, had a food truck set up on his property this week. Mr. Colson stated that he agreed with Mrs. Felton's comment about people traveling to get the certain type of food each food truck is known for. Mr. Colson had the food truck Owl Feed Ya, in his lot this week, and they brought in 60-90 customers in a 3-hour time frame. Mr. Colson stated that his opinion was that if it was private property, and the landlord has given permission, he didn't understand why it should be an issue.

Chairman Sara Winslow stated that it seems like everyone agrees that food truck should at least have to have some type of license with the Town, to keep it fair across the board.

**Announcements/Other Business**

None

**Adjournment**

Board Member Gracie Felton made a motion to adjourn the meeting. Motion was seconded by Board Member Andrew Almodova.

Vote was 5-0 to adjourn.

Meeting was adjourned at 7:45 PM.

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Chairman Sara Winslow

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Secretary, Sarah Nixon

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Date